

Form 2

## NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:	28 Princes Highway CANN RIVER 3890 CA: 3 Sec: 7
The application is for a permit to:	Three Lot Subdivision
The applicant for the permit is:	Development Solutions Victoria Pty Ltd
The application reference number is:	5.2024.345.1

You may look at the application and any documents that support the application free of charge at: <https://www.eastgippsland.vic.gov.au/building-and-development/advertised-planning-permit-applications>

You may also call 5153 9500 to arrange a time to look at the application and any documents that support the application at the office of the responsible authority, East Gippsland Shire. This can be done during office hours and is free of charge.

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

**An objection must**

- ◆ **be made to the Responsible Authority in writing,**
- ◆ **include the reasons for the objection, and**
- ◆ **state how the objector would be affected.**

The responsible authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.

<b>The Responsible Authority will not decide on the application before:</b>	<b>Subject to the applicant giving notice</b>
---	---

If you object, the Responsible Authority will tell you its decision.



## Planning Permit Application

**Applicant Details:**

Name:			
Business trading name: (if applicable) DEVELOPMENT SOLUTIONS VICTORIA PTY LTD			
Email address: ADMIN@DEVSOLVIC.COM.AU			
Postal address: 48 BAILEY STREET BAIRNSDALE			
			Postcode
			3 8 7 5
Phone number: Home:	Work: 03 5152 4858	Mobile:	

**Owners Details: (if not the applicant)**

Name:			
Business trading name: (if applicable) THE TWO COMPADRES PTY LTD			
Email address: ADMIN@DEVSOLVIC.COM.AU			
Postal address: 48 BAILEY STREET BAIRNSDALE			
			Postcode
			3 8 7 5
Phone number: Home:	Work: 03 5152 4858	Mobile:	

**Description of the Land:**

Street number: 28	Street name: PRINCES HIGHWAY		
Town: CANN RIVER	Postcode		
3 8 9 0			
Legal Description:			
Lot Number:	<input type="checkbox"/> Lodged plan <input type="checkbox"/> Title plan <input type="checkbox"/> Plan of Subdivision		Number:
Crown Allotment Number: 3		Section Number: 7	
Parish/Township Name: TOWNSHIP OF CANN RIVER, PARISH OF NOORINBEE			
Has there been a pre-application meeting: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Officers name:	
Your reference number: 24086			

**Privacy Statement**

The East Gippsland Shire Council asks for details about you to collect rates, approve permits and licences, and run a range of community services. The information you give to us on this form is used only for the reasons set out in the form and is not given to anybody else. Sometimes we may supply details about you to someone else, but only if we are allowed by law, or to protect someone or property.

When submitting documents to Council you are confirming that you have authority to use those documents. In the event that the giving of notice is required pursuant to Section 52 of the Planning and Environment Act 1987, you permit documents submitted as part of this application, including your full contact information to be made available for public viewing on Council's website

When information is given out, Council will always try to make sure your privacy is protected in line with the *Privacy and Data Protection Act 2014*. You may ask for more information about Council's Privacy Policy by contacting our Information Privacy Officer on 03 5153 9500 or e-mail [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)

# East Gippsland Shire Council

273 Main Street (PO Box 1618)  
 Bairnsdale VIC 3875  
 Website [www.eastgippsland.vic.gov.au](http://www.eastgippsland.vic.gov.au)  
 Email [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)  
 Follow us on Twitter @egsc



Telephone: (03) 5153 9500  
 Fax: (03) 5153 9576  
 National Relay Service: 133 677  
 ABN: 81 957 967 765

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

Is there any encumbrance on the Title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will the proposal result in a breach of a registered covenant restriction or agreement?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Description of proposal:</b> Describe the use, development or other matter which needs a permit: THREE LOT SUBDIVISION <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	
<b>Existing conditions:</b> Describe how the land is used and developed currently: EXISTING SERVICE STATION, DWELLING AND ASSOCIATED FACILITIES <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	
Estimated cost of development: Note: You may be required to verify this estimate	\$ N/A

If you need more space or have more information, please attach with this form.

Please make sure that:

- Form is filled in fully and signed
- The correct fee is paid or payment enclosed
- Attached any supporting information or documents
  - **Required** - Title (must have been generated within the past 30 days)
  - Covenants or Section 173 agreements
  - Site plan/floor - plan/elevations
  - Planning report
  - Supporting information/reports (e.g. – Land Capability Assessment, Bushfire Management Statement, Geotechnical report/waiver)

**Privacy Statement**

The East Gippsland Shire Council asks for details about you to collect rates, approve permits and licences, and run a range of community services. The information you give to us on this form is used only for the reasons set out in the form and is not given to anybody else. Sometimes we may supply details about you to someone else, but only if we are allowed by law, or to protect someone or property.

When submitting documents to Council you are confirming that you have authority to use those documents. In the event that the giving of notice is required pursuant to Section 52 of the Planning and Environment Act 1987, you permit documents submitted as part of this application, including your full contact information to be made available for public viewing on Council's website

When information is given out, Council will always try to make sure your privacy is protected in line with the *Privacy and Data Protection Act 2014*. You may ask for more information about Council's Privacy Policy by contacting our Information Privacy Officer on 03 5153 9500 or e-mail [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)

# East Gippsland Shire Council

273 Main Street (PO Box 1618)  
 Bairnsdale VIC 3875  
 Website [www.eastgippsland.vic.gov.au](http://www.eastgippsland.vic.gov.au)  
 Email [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)  
 Follow us on Twitter @egsc



Telephone: (03) 5153 9500  
 Fax: (03) 5153 9576  
 National Relay Service: 133 677  
 ABN: 81 957 967 765

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

**Declaration:**

I declare that I am the applicant and that all the information in this application is true and correct and the owner (if not myself) has been notified of the permit application.

I confirm that I have authority to use the relevant documents.

In the event that the giving of notice is required pursuant to Section 52 of the Planning and Environment Act 1987, I permit documents submitted as part of this application, including my full contact information, to be made available for public viewing on Council's website.

Applicant signature:		
Name:	DEVELOPMENT SOLUTIONS VICTORIA PTY LTD	Date: <u>09</u> / <u>10</u> / <u>2024</u>

<b>Office Use Only:</b>	
Reference Number: AP/D/PP/_____	Method of Payment: <input type="checkbox"/> Cash <input type="checkbox"/> Cheque <input type="checkbox"/> Credit Card <input type="checkbox"/> Eftpos
Amount Paid: \$_____	Receipt Number: _____ Receipt Date: ____/____/____

**Submitting your application:**

<b>Electronic</b>	Fax to 03 5153 9576 Email to <a href="mailto:planning@egipps.vic.gov.au">planning@egipps.vic.gov.au</a>	
<b>Mail</b>	Post the signed, completed form together with any applicable fees or copies of any documentation to: PO Box 1618 BAIRNSDALE VIC 3875.	
<b>In Person</b>	Bring the completed form and supporting documents to any of the following locations;	
	Service Centre Opening Hours: 8:30am to 5:00pm. Monday to Friday.	Bairnsdale Corporate Centre: 273 Main Street. Bairnsdale Service Centre: 24 Service Street. Bairnsdale Business Centre: 34 Pyke Street. Lakes Entrance Service Centre: 18 Mechanics Street. Omeo Service Centre: 179 Day Avenue. Orbost Service Centre: 1 Ruskin Street. Paynesville Service Centre: 55 The Esplanade.
	Mallacoota Service Centre Opening Hours: Monday and Tuesday 10.00am to 2.00pm Wednesday, Thursday, Friday 2.00pm to 5.00pm	Mallacoota Service Centre: 70 Maurice Avenue

**Privacy Statement**  
 The East Gippsland Shire Council asks for details about you to collect rates, approve permits and licences, and run a range of community services. The information you give to us on this form is used only for the reasons set out in the form and is not given to anybody else. Sometimes we may supply details about you to someone else, but only if we are allowed by law, or to protect someone or property.

When submitting documents to Council you are confirming that you have authority to use those documents. In the event that the giving of notice is required pursuant to Section 52 of the Planning and Environment Act 1987, you permit documents submitted as part of this application, including your full contact information to be made available for public viewing on Council's website

When information is given out, Council will always try to make sure your privacy is protected in line with the *Privacy and Data Protection Act 2014*. You may ask for more information about Council's Privacy Policy by contacting our Information Privacy Officer on 03 5153 9500 or e-mail [feedback@egipps.vic.gov.au](mailto:feedback@egipps.vic.gov.au)



**REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958** Page 1 of 3

---

VOLUME 12503 FOLIO 179

Security no : 124118536518M  
Produced 25/09/2024 12:12 PM

**LAND DESCRIPTION**

Crown Allotment 3 Section 7 Township of Cann River Parish of Noorinbee.  
PARENT TITLE Volume 04138 Folio 481  
Created by instrument AX267001L 18/09/2023

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
THE TWO COMPADRES PTY LTD  
AX306447E 28/09/2023

**ENCUMBRANCES, CAVEATS AND NOTICES**

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE TP287426W FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NUMBER		STATUS	DATE
AY089732B (E)	NOMINATION OF ECT TO LC	Completed	12/06/2024
AY090576F (E)	MORTGAGE	Registered	18/06/2024

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 28 PRINCES HIGHWAY CANN RIVER VIC 3890

**ADMINISTRATIVE NOTICES**

NIL

DOCUMENT END



# Imaged Document Cover Sheet

ADVERTISED  
This copied document is made available for the sole purpose of enabling its consideration and review as part of a public inquiry process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

Document Type	<b>Plan</b>
Document Identification	<b>TP287426W</b>
Number of Pages (excluding this cover sheet)	<b>2</b>
Document Assembled	<b>25/09/2024 12:12</b>

**Copyright and disclaimer notice:**

© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. None of the State of Victoria, LANDATA®, Secure Electronic Registries Victoria Pty Ltd (ABN 86 627 986 396) as trustee for the Secure Electronic Registries Victoria Trust (ABN 83 206 746 897) accept responsibility for any subsequent release, publication or reproduction of the information.

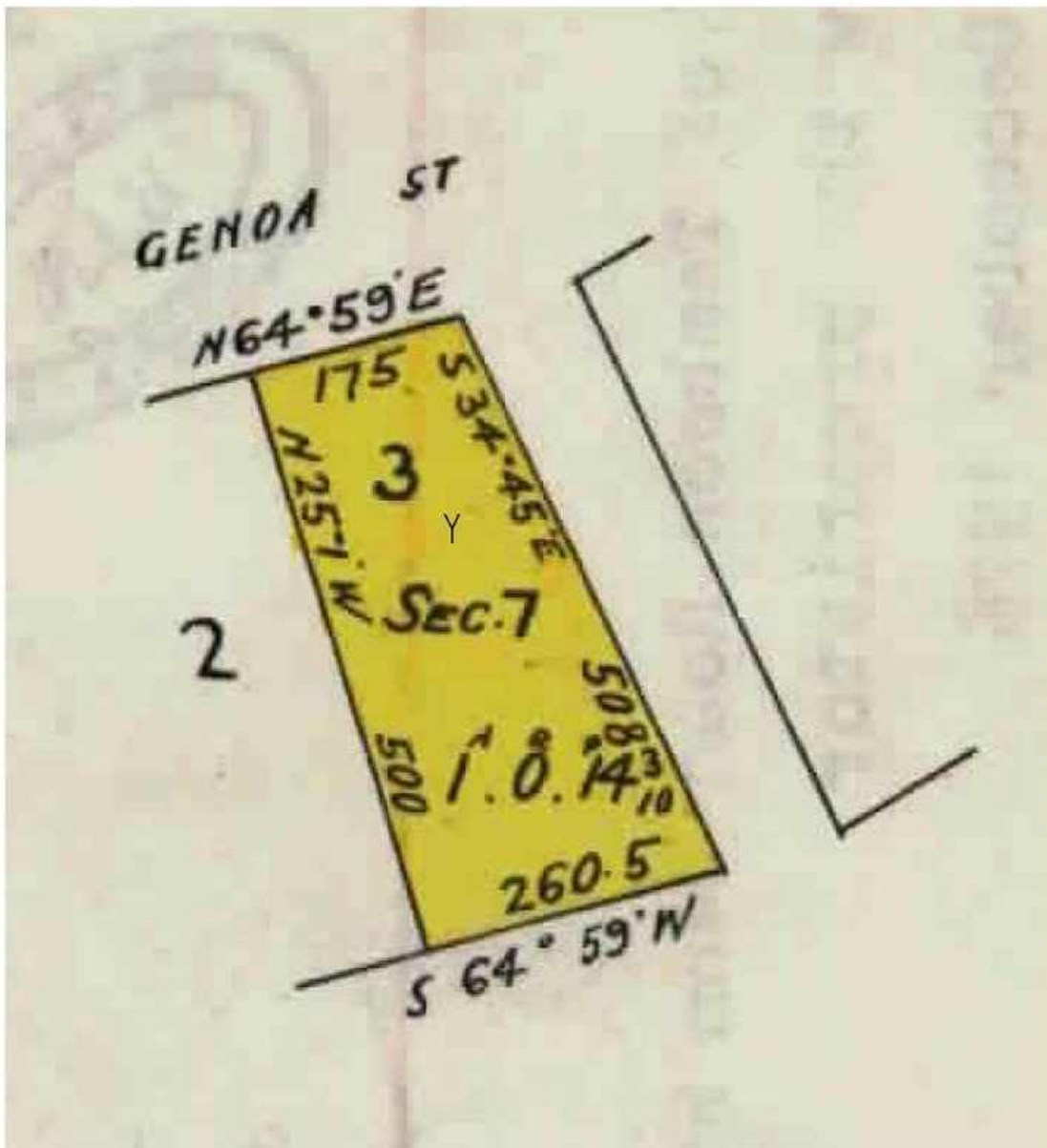
The document is invalid if this cover sheet is removed or altered.

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

<b>TITLE PLAN</b>		<b>EDITION 1</b>	<b>TP 287426W</b>
<b>Location of Land</b>		<b>Notations</b>	
Parish:	NOORINBEE	SUBJECT TO THE RESERVATIONS, EXCEPTIONS, CONDITIONS AND POWERS CONTAINED IN CROWN GRANT VOL. 4138 FOL. 481 AND NOTED ON SHEET 2 OF THIS PLAN	
Township:	CANN RIVER		
Section:	7		
Crown Allotment:	3		
Crown Portion:			
<b>Last Plan Reference:</b>		<b>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</b>	
Derived From:	VOL 4138 FOL 481		
Depth Limitation:	50 FEET		

<b>Description of Land / Easement Information</b>	THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 25/01/2000 VERIFIED: BH
---	--

**COLOUR CODE**  
Y = YELLOW



This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

TP 287426W

# LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS SHOWN ON THE CROWN GRANT

TITLE PLAN



*one acre fourteen perches and three tenths of a perch more or less being Allotment three of Section seven in the Township of ~~Aspen~~ ~~Aspen~~ Parish of Macquarie County of New South Wales*

*All that piece of Land in the said State containing*

delimited with the measurements and abutments thereof in the map drawn in the margin of these presents and therein coloured yellow. PROVIDED nevertheless that the grantee shall be entitled to sink wells for water and to the use and enjoyment of any wells or springs of water upon or within the boundaries of the said land for any and for all purposes as though he held the land without limitation as to depth. EXCEPTING nevertheless unto Us Our heirs and successors all gold and silver and auriferous and argilliferous earth and stone and all mines veins lodes and deposits containing gold silver copper tin antimony coal and other metals and minerals and mineral ores in upon and within the boundaries of the land hereby granted. AND also reserving to Us Our heirs and successors free liberty and authority for Us Our heirs and their licensees agents and servants at any time or times hereafter to enter upon the said land and to search for gold silver copper tin antimony coal and all other metals and minerals and mineral ores and to extract and remove therefrom any gold silver and any auriferous and argilliferous earth or stone copper tin antimony coal and other metals and minerals and mineral ores and to search for and work dispose of and carry away the gold silver copper tin antimony coal metals minerals and their ores lying in upon or under the land hereby granted and for the purposes aforesaid to sink shafts make drives erect machinery and to carry on any works and do any other things which may be necessary or usual in mining and with all other incidents that are necessary to be used for the getting of the said gold silver copper tin antimony coal and other metals and minerals and

AND PROVIDED also that the said land is and shall be subject to the right of any person being the holder of a miner's right or of a licence to search for metals or minerals or of a mining or mineral lease to enter therein and to mine for gold silver copper tin antimony coal and other metals and minerals and mineral ores and to erect and to occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those on which the holder of a miner's right or of a mining or mineral lease had at the date of these presents the right to mine for gold and silver in and upon Crown Lands. PROVIDED that compensation shall be paid to the said

GRANTEE

his heirs executors administrators assigns and transferees by such person for surface damage to be done to such lands by reason of mining thereon such compensation to be determined as provided for the time being by law for the case of land reserved for mining purposes and the payment thereof to be a condition precedent to such right of entry.

LENGTHS ARE IN LINKS

Metres = 0.3048 x Feet  
Metres = 0.201168 x Links

OCT  
20  
24

ADVERTISED

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.



APPLICATION FOR PLANNING PERMIT

## THREE LOT SUBDIVISION

28 PRINCES HIGHWAY, CANN RIVER

CHRISTOPHER ZAJAKOUSKI

REF: 24086

**CONTENTS**

1	Introduction	4
2	Site Context	5
3	The Proposal	12
4	Zones and Overlays	13
5	Planning Assessment	16
6	Conclusion	18

**APPENDIX**

- A Copy of Title and Title Plan
- B Proposed Plan of Subdivision
- C Clause 56 Assessment
- D Bushfire Management Plan

**DOCUMENT REVISION**

1	Draft Report	DAC	01/10/2024
2	Final Report	CMC	05/10/2024



ADVERTISED

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.





## 1. INTRODUCTION

Development Solutions Victoria Pty Ltd act on behalf of Christopher Zajakouski the Director of The Two Compadres Pty Ltd, the applicant for this planning permit application for a three lot subdivision at 28 Princes Highway, Cann River.

This submission and supporting documentation provide details of the subject site, relevant planning controls and policies and provides an assessment against the provisions of the East Gippsland Planning Scheme.

The purpose of the proposed subdivision is to separate the existing service station and dwelling into individual parcels, while also creating a vacant lot. The owner intends to potentially develop the vacant lot for future residential or commercial use.

The proposal is consistent with the objectives of the East Gippsland Planning Scheme and is an appropriate subdivision in this location.

<b>Address</b>	28 Princes Highway, Cann River
<b>Site Description</b>	Crown Allotment 3 Section 7 Township of Cann River Parish of Noorinbee
<b>Title Particulars</b>	Vol 12503 Fol 179
<b>Site Area</b>	Approximately 4445m <sup>2</sup>
<b>Proposal</b>	Three Lot Subdivision
<b>Planning Scheme</b>	East Gippsland Planning Scheme
<b>Zone</b>	Township Zone
<b>Overlays</b>	Bushfire Management Overlay – Schedule 2
<b>Permit Triggers</b>	Clause 32.05-5 – Township Zone Subdivision Clause 44.06-2 –Bushfire Management Overlay Subdivision Clause 52.29-2 – Land Adjacent to the Principal Road Network
<b>Notice</b>	No exemption under Township Zone Exempt from notice at Clause 44.06-7
<b>Referrals</b>	66.01 – East Gippsland Water 66.01 – SP Ausnet 66.03 – Country Fire Authority 66.03 – Department of Transport
<b>Work Authority Licence</b>	Not applicable
<b>Planning Scheme requirements</b>	Municipal Planning Strategy – Clause 02 Settlement – Clause 02.03-1 Environmental and landscape values – Clause 02.03-2 Environmental risks and amenity – Clause 02.03-3 Built environment and heritage – Clause 02.03-5 Planning Policy Framework – Clause 10 Settlement – Clause 11 Environmental and landscape values – Clause 12 Environmental risks and amenity – Clause 13 Built environment and heritage – Clause 15 Township Zone – Clause 32.05 Bushfire Management Overlay – Clause 44.06 Land Adjacent to the Principal Road Network – Clause 52.29 Bushfire Planning – Clause 53.02 Decision guidelines – Clause 56 Decision guidelines – Clause 65.01 Decision guidelines – Clause 65.02

## 2. SITE CONTEXT

### Site

The subject site is located at 28 Princes Highway, Cann River. A copy of the Title and Title Plan is contained in **Appendix A**. The title is not affected by any restrictive covenants or agreements.

The site is an almost rectangular shaped allotment with a total area of approximately 4445m<sup>2</sup> and contains an existing Service Station, dwelling and associated facilities.

The site is generally flat in nature and contains scattered vegetation throughout. The site is currently used for residential and commercial purposes. Details of the site are depicted in the photographs provided below.

Access to the Service Station is existing via a bitumen crossover and driveway directly from the Princes Highway along the northern boundary. Access to the dwelling is existing along the eastern boundary, directly from Cox Street via a bitumen crossover and driveway. The Princes Highway and Cox Street are both bitumen sealed roads. Princes Highway traverses in an east to west direction and contains concrete kerb and channel in this location. Cox Street traverses in a north to south direction and has grassed swale drains.

The site also adjoins Tyson Street along the southern boundary. Tyson Street is a bitumen sealed road traversing in an east to west direction with concrete kerb and channel.

The subject site in relation to Cann River as well as the surrounding land, is shown in the locality plans in **Figure 1** and **Figure 2**.

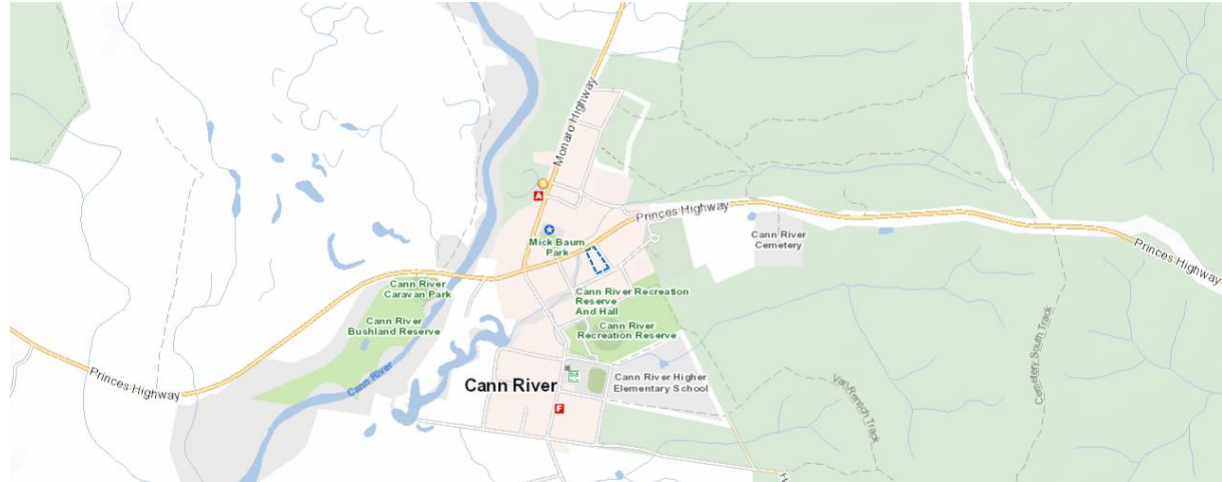


Figure 1 – Locality Plan – 28 Princes Highway, Cann River (source: mapshare.vic.gov.au)



Figure 2 – Locality Plan – 28 Princes Highway, Cann River (source: mapshare.vic.gov.au)

## Surrounds

The land surrounding the site comprises a combination of commercial and residential development.

Adjoining the northern boundary of the subject site comprises the Princes Highway. Adjoining the eastern boundary is Cox Street and further is existing residential development. Cox Street road reserve contains some large significant trees at the northern end.

Adjoining the western boundary contains an existing commercial building and associated facilities and adjoining the southern boundary is Tyson Street. The development immediately adjoining the western boundary is a former government office and depot containing extensive shedding fronting Tyson Street.

Cann River is a small highway service centre located on the Princes Highway approximately 77 kilometres east of Orbost. Cann River is a convenient place to stop and is a turning point for many. Cann River provides a basic range of facilities and services, however a larger suite of services and facilities is available further afield in Orbost.

The subject site in relation to Cann River is shown in the aerial photograph below.





Photograph 1 – Aerial Photograph of the subject site and surrounding land  
– 28 Princes Highway, Cann River (source: dpi.vic.gov.au)  
This copied document is made available for the sole  
purpose of enabling its consideration and review as  
part of a planning process under the Planning and  
Environment Act 1987. The document must not be  
used for any purpose which may breach any copyright.







**Photograph 2** – Subject site at 28 Princes Highway, Cann River.



**Photograph 4** – Proposed Lot 1 facing west.



**Photograph 6** – Southern portion of proposed Lot 1 facing west.



**Photograph 3** – Existing access and Service Station on proposed Lot 1, facing southeast.



**Photograph 5** – Eastern boundary of proposed Lot 1 facing south.



**Photograph 7** – Proposed Lot 1 facing north along the western boundary.





**Photograph 8** – Southern access point to proposed Lot 2 facing west.



**Photograph 10** – Proposed Lot 2 facing north.



**Photograph 12** – Proposed Lot 3 facing west.



**Photograph 9** – Northern access point to proposed Lot 2 showing the existing dwelling, facing west.



**Photograph 11** – Dividing fence between proposed Lot 1 and 2, facing west.



**Photograph 13** – Proposed Lot 3 facing southeast.





**Photograph 14** – Property adjoining the western boundary at 26 Princes Highway.



**Photograph 16** – Property opposite the eastern boundary of proposed Lot 1 at 30 Princes Highway.



**Photograph 18** – Property opposite the southern boundary of proposed Lot 3 at 12 Tyson Street.



**Photograph 15** – Property opposite the northern boundary to proposed Lot 1 at 15 Princes Highway.



**Photograph 17** – Property opposite the eastern boundary of proposed Lot 2 at 38 Princes Highway.



**Photograph 19** – Southern portion of the property adjoining the western boundary at 26 Princes Highway.





**Photograph 20** – Princes Highway facing west.



**Photograph 22** – Cox Street facing south.



**Photograph 24** – Tyson Street facing west.



**Photograph 21** – Princes Highway facing east, showing the intersection from Princes Highway to Cox Street.



**Photograph 23** – Cox Street facing north.



**Photograph 25** – Tyson Street facing east.

### 3. THE PROPOSAL

This application seeks approval for the subdivision of the land into three lots. A proposed plan of subdivision is provided in **Appendix B**.

#### Lot 1

The proposed Lot 1 will be irregular in shape and will be approximately 1551m<sup>2</sup> in area. This lot comprises the northern portion of the site and will contain the existing Service Station operated by Caltex. Access to this lot is via the existing bitumen crossovers along the northern boundary, directly from Princes Highway and will remain unchanged.

#### Lot 2

The proposed Lot 2 will be irregular in shape and will be approximately 1734m<sup>2</sup>. This lot will comprise the central portion of the site and will contain the existing dwelling. Access to this lot is via the existing bitumen and gravel crossover along the eastern boundary, directly from Cox Street.

#### Lot 3

The proposed Lot 3 will be rectangular in shape and will be approximately 1160m<sup>2</sup>. This lot will comprise the southern portion of the site and will be vacant land. Access to this lot will be

provided along the southern boundary via an existing grass crossover directly from Tyson Street. This access will need to be upgraded to provide suitable access.

#### Services

The subject site has access to an appropriate level of services including reticulated water, sewerage, electricity, telecommunications, drainage and a good quality road network. Each of the proposed allotments will be connected to all available services.

It is requested that formal drainage plans be a requirement on any planning permit to be granted.

A copy of the proposed subdivision is provided to the right and in **Appendix B**.

The proposed subdivision does not require any earthworks beyond installation of services to the vacant lot being created.

The proposed subdivision can achieve a BAL 29 rating. A Bushfire Management Report is contained in **Appendix D**.

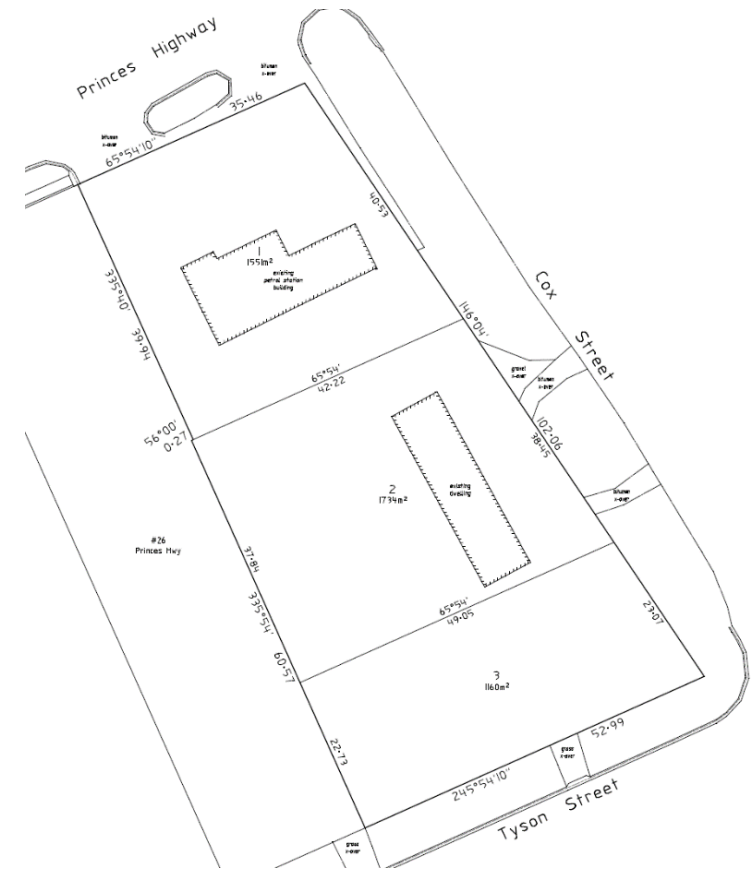


Figure 3 – Proposed Subdivision Plan – One Plan

#### 4. ZONES AND OVERLAYS

##### Township Zone

The purpose of the Township Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for residential development and a range of commercial, industrial and other uses in small towns.
- To encourage development that respects the neighbourhood character of the area.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

An extract of the Township Zone Map is provided below in **Figure 4**:

Clause 32.06-5 of the Township Zone provides a permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56. The relevant standards of Clause 56 are addressed in **Appendix C**.

The decision guidelines of Clause 32.05 of the Township Zone are addressed in Section 5 of this submission.

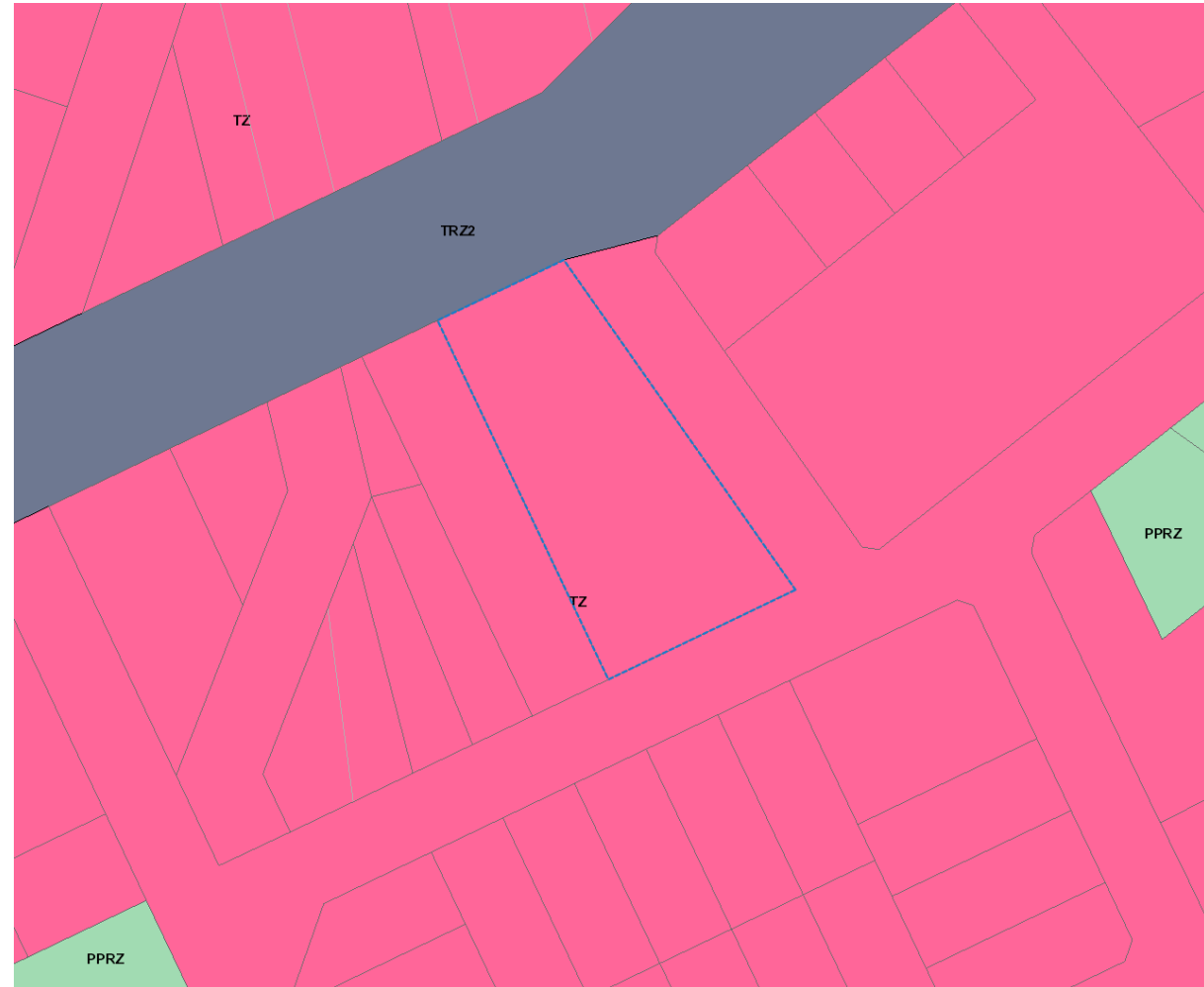


Figure 4 – Zoning Map – (source - mapshare.vic.gov.au)



## Bushfire Management Overlay – Schedule 2

The purpose of the Bushfire Management Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

An extract of the Bushfire Management Overlay Map is provided in **Figure 5**.

Clause 44.06-2 provides a permit is required to subdivide land.

Clause 44.06-4 provides an application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay.

A schedule to this overlay must specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines for the purposes of Clause 53.02 Schedule 2 is applicable to the site, the proposal is not seeking to construct a dwelling and as such the requirements of Clause 53.02 apply.

The proposed subdivision will require planning approval under the provisions of the Bushfire Management Overlay and Clause 53.02 and as such, the relevant decision guidelines are addressed below in Section 5. A Bushfire Management Report is contained in **Appendix D**. The application must be referred to the relevant fire authority under the provisions of Clause 66.03.

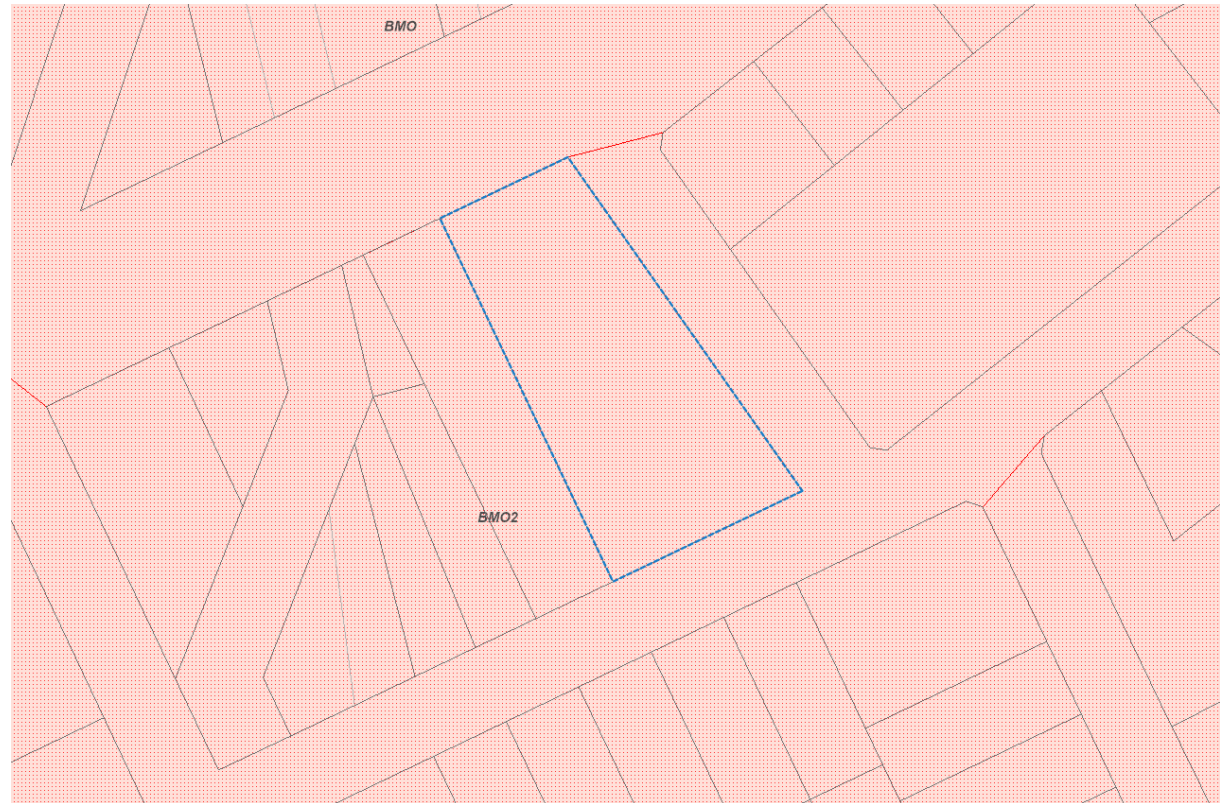


Figure 5 – Bushfire Management Overlay – (source - mapshare.vic.gov.au)

---

## Aboriginal Cultural Heritage

Under the provisions of the *Aboriginal Heritage Act 2006* the subject site is not recognised as being within an area of Aboriginal Cultural Heritage Sensitivity.

As such this application does not require the preparation of a Cultural Heritage Management Plan.

## 5. PLANNING ASSESSMENT

This proposal has been assessed against the objectives and standards of the applicable clauses of the East Gippsland Planning Scheme and it is considered that the proposed subdivision is appropriate for the following reasons:

- The proposal meets the objectives of the Municipal Planning Strategy at **Clause 02** and the Planning Policy Framework at **Clause 10** providing an additional vacant parcel of land that can be developed in the future for residential or commercial use that can be respectful of the existing surrounding development and the environment.
- The proposal will contribute to a high standard of environmental sustainability, urban design and amenity by designing a lot layout to meet the constraints of the land reducing any potential negative environmental implications as sought to achieve by the relevant clauses including **Clause 02.03** and **Clause 11**. The site does contain scattered vegetation that forms landscaped gardens, no vegetation removal will be required to facilitate the proposed subdivision.
- The proposed subdivision will result in three allotments with one being vacant land that can adequately accommodate a residential dwelling in the future.
- The subject site is currently connected to all available services and the proposed vacant lot being created will be connected to all available services and infrastructure including reticulated water, sewerage, electricity, telecommunications and a good quality road network.
- The proposal meets the objectives of **Clause 16** by providing an additional vacant allotment that can be developed with a residential dwelling in the future which in turn will support housing for the area. **Clause 16.01-2S** recognises the need to ensure land supply is sufficient to meet demand. The proposed subdivision will result in three allotments with one being a vacant lot within an existing residential area in Cann River.
- The proposal is consistent with the decision guidelines of the Township Zone at **Clause 32.05-14** which seeks to provide for residential development and a range of commercial, industrial and other uses in small towns.
- The proposed subdivision creates three parcels of land, proposed Lot 1 will contain the existing Service Station, proposed Lot 2 will contain the existing residential dwelling and proposed Lot 3 will be vacant land that can be developed in the future with a residential dwelling or used for commercial purposes that can be keeping with the neighbourhood character of the area.
- The proposed subdivision has addressed the relevant standards as set out in Clause 56 and is contained in **Appendix C**.
- The pattern of subdivision for the area is varied with lots ranging in shapes and sizes.
- Access is existing for proposed Lot 1 along the northern boundary, directly from Princes Highway and will remain unchanged. Access is existing for proposed Lot 2 along the eastern boundary, directly from Cox Street and may require upgrading to a more appropriate standard. Access is existing for proposed Lot 3 along the southern boundary, directly from Tyson Street and will require upgrading to an appropriate standard.
- **Clauses 02.03-3, 13.01-1S** and **44.06** require consideration of bushfire hazards and implications as a result of any proposed subdivision and development. A Bushfire Management Report is provided in **Appendix D** which concludes the subject site can achieve a BAL 29 rating. Proposed Lot 1 will contain the existing Service Station, proposed Lot 2 will contain the existing dwelling and proposed Lot 3 will be vacant land, suitable for a residential

- dwelling in the future or commercial use. Any future dwelling or building on the vacant lot being created will need to be constructed to the requirements of the BAL 29 rating including managing defendable space for the entire lot, the installation of a 10,000 litre water tank to be provided at time of construction dedicated for CFA purposes and access constructed to meet the requirements for emergency service vehicles. All approved bushfire protection measures have been incorporated into the proposal. **Clause 44.06-4** provides the application must meet the requirements of **Clause 53.02**. All of the approved measures set out in Clause 53.02-4 have been incorporated into the proposal and it is concluded the risks can be reduced to an acceptable level.
- This submission has addressed the decision guidelines of **Clause 65.01** and the proposed subdivision supports orderly planning of the area whilst taking into consideration the potential effect on the environment, human health and the amenity of the area. The proposal does not require the removal of any native vegetation and there will be no negative impact on the existing road network, particularly given the access points are existing and will remain unchanged.

- The site is not identified as being susceptible to erosion or flooding hazards however is susceptible to bushfire hazards.
- There are no factors of this proposal that are likely to cause or contribute to land degradation, salinity or reduce water quality.
- This submission has addressed the decision guidelines of **Clause 65.02** and it is concluded the proposed subdivision is suitable in this location. The proposed subdivision will result in three separate allotments with one containing the existing Service Station, one containing the existing dwelling and one vacant parcel of land. The vacant lot being created can adequately accommodate a residential dwelling or commercial building in the future that will in turn support the community by providing for additional housing or economic benefit.
- The subject site is currently connected to all available services and the proposed Lots will be connected to all available services. The additional vacant lot is not expected to exceed the capacity of the services in this location.
- The proposed lot layout and density is considered appropriate in this location and is generally consistent with the surrounding land uses and development.

There are no elements of this proposal that are expected to be detrimental to the amenity of the area.



## 6. CONCLUSION

This submission is in support of a planning permit application for a Three Lot Subdivision at 28 Princes Highway, Cann River.

The relevant provisions of the East Gippsland Planning Scheme have been addressed and it has been ascertained that the proposed subdivision is appropriate in this location. It is requested that the proposal be supported for the following reasons:

- The proposal is consistent with the objectives and strategies outlined in the Municipal Planning Strategy and the Planning Policy Framework.
- The proposal is consistent with the objectives of the Township Zone and the Bushfire Management Overlay.
- The proposed subdivision will provide for an appropriate response to the existing allotment providing for separation of the existing Service Station, dwelling and creating a vacant parcel of land.
- The design of the subdivision is site responsive and consistent with the surrounding lot layout.

It is requested that a planning permit be granted for this subdivision.

**Development Solutions Victoria**

### Disclaimer:

*This document has been prepared for planning permit application purposes only. The report has been made with careful consideration and with the best information available to Development Solutions Victoria Pty Ltd at the time.*

*No component of this document is to be reproduced for any purpose without prior written consent of Development Solutions Victoria Pty Ltd.*



## APPENDIX C

### Clause 56 Assessment

---

## CLAUSE 56 ASSESSMENT

### Clause 56 – Residential Subdivision

Under the provisions of Clause 32.05-5 of the Township Zone, the following provisions of Clause 56 must be addressed as appropriate.

The purpose of Clause 56 is:

*“To implement the Municipal Planning Strategy and the Planning Policy Framework.*

*To create liveable and sustainable neighbourhoods and urban places with character and identity.*

*To achieve residential subdivision outcomes that appropriately respond to the site and its context for:*

- *Metropolitan Melbourne growth areas.*
- *Infill sites within established residential areas.*
- *Regional cities and towns.*

*To ensure residential subdivision design appropriately provides for:*

- *Policy implementation.*
- *Liveable and sustainable communities.*
- *Residential lot design.*
- *Urban landscape.*
- *Access and mobility management.*
- *Integrated water management.*
- *Site management.*
- *Utilities.”*

Clause 56 provides the following requirements:

*“An application to subdivide land:*

- *Must be accompanied by a site and context description and a design response.*
- *Must meet all of the objectives included in the clauses specified in the zone.*
- *Should meet all of the standards included in the clauses specified in the zone.”*

The provisions of Clause 56 are addressed below.

Clause 56.01 requires an application to be accompanied by:

- A subdivision site and context description.
- A design response.

These details are outlined in the proposed development plans and within the submission.

The table below addresses the relevant requirements of Clause 56.

Clause 56.03-5 Neighbourhood Character Objective:	To design subdivisions that respond to neighbourhood character.
<b>Response:</b>	<p>There is no Neighbourhood Character Statement or specific character identified for this location. This area contains a combination of commercial and residential uses. The dwellings in the area are predominantly single storey. All development is on lots ranging in shapes and sizes. The lot configuration in the immediate area is diverse. The development on the northern side of Tyson Road is varied and includes both commercial and residential. The development on the southern side of Tyson Road is predominantly residential with standard residential lots with approximately 20 metre frontages. The dwellings are generally setback in excess of 9 metres. To the south east is a multi dwelling development with a larger frontage and reduced setbacks.</p> <p>The proposed lot layout is responsive to the site and will separate the existing Service Station, dwelling and provide for an additional vacant allotment. Any future residential or commercial development on the vacant lot being created can be consistent with the existing surrounding development. The area of the proposed lots ensures adequate provision for the subdivision to provide an appropriate level of services and facilities for future development. Proposed Lot 1 will contain the existing Service Station and proposed Lot 2 will contain the existing dwelling and associated facilities.</p> <p>All allotments will have suitable driveway access. Proposed Lot 1 will contain the existing bitumen crossover and driveway along the northern boundary directly from Princes Highway, proposed Lot 2 will contain the existing bitumen crossovers and driveway along the eastern boundary, directly from Cox Street and proposed Lot 3 will have contain the existing concrete crossover along the southern boundary, directly from Tyson Street.</p> <p>The proposed lot layout will enable future residential or commercial development on the vacant lot being created that will be in keeping with the existing lot layout in the area and existing residential development. The site contains minimal scattered vegetation forming landscaped gardens around the existing dwelling similar to other lots in the area. There are no significant features in the area that would be detrimentally affected by the proposed</p>



	<p>subdivision and potential future development. The proposed subdivision will not negatively impact the existing streetscape or neighbourhood character, particularly given that there is not likely to be any change to the existing development on the site.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>
<p><b>Clause 56.04-1 Lot diversity and distribution objectives:</b></p>	<p><b>To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.</b></p> <p><b>To provide higher housing densities within walking distance of activity centres.</b></p> <p><b>To achieve increased housing densities in designated growth areas.</b></p> <p><b>To provide a range of lot sizes to suit a variety of dwelling and household types.</b></p>
<p><b>Response:</b></p>	<p>The proposed subdivision will result in three allotments with one being vacant land that can be developed with a dwelling or commercial building in the future.</p> <p>Any future development will not result in housing densities that are inconsistent with existing development within the area. The density proposed is responsive to the site conditions and relative to the area. The proposed subdivision achieves suitable infill development within an existing residential area where there is a suitable range of services available.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>
<p><b>Clause 56.04-2 Lot area and building envelopes objective:</b></p>	<p><b>To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.</b></p>
<p><b>Response:</b></p>	<p>This application seeks approval for the creation of three allotments, all greater than 300m<sup>2</sup> in area to accommodate future residential or commercial development.</p> <p>The proposed lots will be:                  Lot 1 will be 1551m<sup>2</sup> in area;                  Lot 2 will be 1734m<sup>2</sup> in area;                  Lot 3 will be 1160m<sup>2</sup> in area.</p> <p>Proposed Lot 1 will contain the existing Service Station and proposed Lot 2 will contain the existing dwelling. Proposed Lot 3 will be vacant land suitable for future development. Each of the proposed allotments can adequately accommodate a 10 x 15m rectangle with significant setbacks indicating suitability for future development.</p>

	<p>The proposed lot dimensions and layout are considered to adequately accommodate solar access for existing development surrounding the site and any future development on the vacant lot. The size and configuration of the proposed lots are considered more than adequate to accommodate any future development with suitable garden area, private open space and vehicle access, whilst respecting surrounding lot configurations for future uses and development surrounding the site.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>
<p><b>Clause 56.04-3 Solar orientation of lots objective</b></p>	<p><b>To provide good solar orientation of lots and solar access for future dwellings.</b></p>
<p><b>Response:</b></p>	<p>The proposed subdivision creates three allotments of north south orientation with the long axis of the lot within the range north 20 degrees west to north 30 degrees east. Each of the lots will have appropriate solar access and any future development on the vacant lot being created will not impact the solar access of surrounding properties.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>
<p><b>Clause 56.04-4 Street orientation objective:</b></p>	<p><b>To provide a lot layout that contributes to community social interaction, personal safety and property security.</b></p>
<p><b>Response:</b></p>	<p>The proposed allotments will all have appropriate street frontages, similar to others in the locality, which is deemed likely to encourage future development that supports visibility and surveillance and will contribute to community social interaction, personal safety and property security.</p> <p>All proposed lots will have individual access and street frontage as indicated on the proposed plan of subdivision. Aside from the adjoining road networks, there is no public open space areas adjoining the site. There is a public park and amenities located approximately 100 west of the subject site on the opposite side of the Highway. The Cann River Bushland Reserve is located 800 metres west of the site.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>
<p><b>Clause 56.04-5 Common area objectives</b></p>	<p><b>To identify common areas and the purpose for which the area is commonly held. To ensure the provision of common area is appropriate and that necessary management arrangements are in place. To maintain direct public access throughout the neighbourhood street network.</b></p>
<p><b>Response:</b></p>	<p>The proposal does not include any common property.</p> <p><b>This clause is not relevant to the proposal.</b></p>

<p><b>Clause 56.05-1</b>  <b>Integrated urban landscape objectives:</b></p>	<p><b>To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.</b>  <b>To incorporate natural and cultural features in the design of streets and public open space where appropriate.</b>  <b>To protect and enhance native habitat and discourage the planting and spread of noxious weeds.</b>  <b>To provide for integrated water management systems and contribute to drinking water conservation.</b></p>
<p><b>Response:</b></p>	<p>The proposal does not seek to create any new streets, roads or public open space areas and no new footpaths are proposed. Given there are no footpaths along Cox Street or Tyson Road in this location, it is not deemed necessary as a result of the proposed subdivision.</p> <p><b>This clause is not relevant to the proposal.</b></p>
<p><b>Clause 56.06-2</b>  <b>Walking and cycling network objectives:</b></p>	<p><b>To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.</b>  <b>To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.</b>  <b>To reduce car use, greenhouse gas emissions and air pollution.</b></p>
<p><b>Response:</b></p>	<p>There are existing footpaths along the Princes Highway however no footpaths in Cox Street or Tyson Street. The subdivision does not propose any new footpaths or streets. Each of the proposed allotments being created will have individual access as indicated on the proposed plan of subdivision. Proposed Lot 1 will contain the existing access along the northern boundary directly from Princes Highway, proposed Lot 2 will contain the existing access along the eastern boundary directly from Cox Street and proposed Lot 3 will contain the existing access directly from Tyson Street. Princes Highway, Cox Street and Tyson Street include suitably wide road reserves for pedestrian and bicycle use if required.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>
<p><b>Clause 56.06-5</b>  <b>Walking and cycling network detail objectives:</b></p>	<p><b>To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.</b>  <b>To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</b></p>
<p><b>Response:</b></p>	<p>The proposal does not include any new footpaths. The existing access points will provide suitable access for pedestrians, cyclists and vehicles to the existing road network.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>



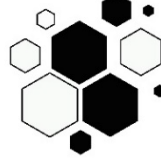
<p><b>Clause 56.06-6</b> Public transport network detail objectives:</p>	<p><b>To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.</b> <b>To provide public transport stops that are accessible to people with disabilities.</b></p>
<p><b>Response:</b></p>	<p>There is a public bus stop located on Ward Street opposite the Cann River Skate Park, approximately 100 metres west of the subject site. The proposed subdivision is not expected to increase the need for additional public transport facilities.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>
<p><b>Clause 56.06-7</b> Neighbourhood Street network detail objective:</p>	<p><b>To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.</b></p>
<p><b>Response:</b></p>	<p>No new streets are proposed.</p> <p><b>This clause is not relevant to the proposal.</b></p>
<p><b>Clause 56.06-8</b> Lot access objective:</p>	<p><b>To provide for safe vehicles access between roads and lots.</b></p>
<p><b>Response:</b></p>	<p>Access to all proposed Lots is existing and will remain unchanged as indicated on the proposed plan of subdivision, however may require upgrading. The existing access points will provide for safe vehicle access between the road and any future development on the vacant lot being created.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>
<p><b>Clause 56.07-1</b> Drinking water supply objectives</p>	<p><b>To reduce the use of drinking water. To provide an adequate, cost-effective supply of drinking water.</b></p>
<p><b>Response:</b></p>	<p>The proposed lots will be connected to the existing reticulated water supply which provides for drinking water supply.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>

<p><b>Clause 56.07-2</b>  <b>Reused and recycled water objective</b></p>	<p><b>To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.</b></p>
<p><b>Response:</b></p>	<p>A reuse and recycle water supply is not available to this site at this time. Water supply to all allotments will be via the existing reticulated water system to the satisfaction of the responsible authority. The application will be referred to East Gippsland Water for consideration.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>
<p><b>Clause 56.07-3</b>  <b>Waste water management objective</b></p>	<p><b>To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.</b></p>
<p><b>Response:</b></p>	<p>All allotments will be connected to the existing reticulated sewerage network. The proposed additional two lots, one being vacant land are not expected to exceed the capacity of the network. The existing dwelling and service station are currently connected to the existing sewerage network.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>
<p><b>Clause 56.07-4</b>  <b>Stormwater management objectives</b></p>	<p><b>To minimise damage to properties and inconvenience to residents from stormwater.</b>  <b>To ensure that the street operates adequately during major storm events and provides for public safety.</b>  <b>To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.</b>  <b>To encourage stormwater management that maximises the retention and reuse of stormwater.</b>  <b>To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.</b></p>
<p><b>Response:</b></p>	<p>Stormwater created from any future development will be directed to the legal point of discharge to the satisfaction of the responsible authority. It is not anticipated that there will be any drainage issues as a result of the proposed subdivision or future development as such it is requested that formal drainage plans be a requirement on any planning permit granted.</p> <p>It is anticipated that any future dwelling would include provision of rainwater tanks.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>

<p><b>Clause 56.08-1 Site Management objectives</b></p>	<p><b>To protect drainage infrastructure and receiving waters from sedimentation and contamination.</b>  <b>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</b>  <b>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</b></p>
<p><b>Response:</b></p>	<p>All preventative measures will be implemented during the construction phase of the proposed subdivision to ensure no erosion occurs.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>
<p><b>Clause 56.09-1 Shared Trenching objectives:</b></p>	<p><b>To maximise the opportunities for shared trenching.</b>  <b>To minimise constraints on landscaping within the street reserves.</b></p>
<p><b>Response:</b></p>	<p>Given the proposal is seeking a three lot subdivision resulting in one vacant allotment, there is unlikely to be the ability to share trenching for new services. Each of the relevant service authorities will be contacted prior to certification of the plan to ensure all service requirements are met and shared trenching can occur where possible.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>
<p><b>Clause 56.09-2 Electricity, telecommunications and gas objectives:</b></p>	<p><b>To provide public utilities to each lot in a timely, efficient and cost effective manner.</b>  <b>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</b></p>
<p><b>Response:</b></p>	<p>The proposed vacant lot will be connected to services including reticulated water, sewerage, telecommunications, drainage, electricity and a good quality road network. The proposed subdivision is not expected to affect the existing service arrangements nor exceed capacity. Each of the service providers will be contacted prior to the certification of the plan of subdivision to determine requirements.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>
<p><b>Clause 56.09-3 Fire hydrants objectives:</b></p>	<p><b>To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.</b></p>
<p><b>Response:</b></p>	<p>The nearest fire hydrant is located along the northern boundary of the subject site.</p> <p><b>The proposal meets the objectives of this clause.</b></p>



<p><b>Clause 56.09-4</b> <b>Public lighting objective:</b></p>	<p><b>To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.</b> <b>To provide pedestrians with a sense of personal safety at night.</b> <b>To contribute to reducing greenhouse gas emissions and to saving energy.</b></p>
<p><b>Response:</b></p>	<p>There is existing street lighting within Princes Highway and Tyson Street immediately adjoining the subject site that is considered to provide adequate lighting. Lighting from existing surrounding dwellings and future development will provide a sense of personal safety for pedestrians. No new street lighting is proposed or considered necessary in this instance.</p> <p><b>The proposal meets the objectives and standards of this clause.</b></p>



**Euca Planning**  
Bushfire Specialists



# Bushfire Planning Report V1.0

Including Bushfire Management Statement

Allot. 3 Sec. 7 TOWNSHIP OF CANN RIVER

28 Princes Highway Cann River 3890

September 23rd, 2024.

**Euca Planning Pty Ltd**

PO Box 570, Warragul 3820.

Phone: 0418 597 662 Email: [info@eucaplanning.com.au](mailto:info@eucaplanning.com.au)

Director & Principal Consultant: Deanne Smith

Qualifications/Accreditations:

- Masters of Planning (Professional) – Deakin University
- Postgraduate Diploma in Bushfire Planning and Management – The University of Melbourne (2017)
- Graduate Diploma of Applied Science (Agricultural Studies) – Charles Sturt University
  - Graduate Certificate in Public Sector Management – Flinders University
  - Bachelor of Science – University of Melbourne (1996)

Memberships

- Member of Planning Institute of Australia (MPIA)
- Corporate Bronze Member of Fire Protection Association of Australia

Disclaimer

This report has been made with careful consideration and with the best information available to Euca Planning Pty Ltd at the time of writing. Before relying on information in this report, users should evaluate the accuracy, completeness and relevance of the information provided for their purposes. Euca Planning Pty Ltd do not guarantee that it is without flaw or omission of any kind and therefore disclaim all liability for any error, loss or other consequence that may arise from you relying on any information in this report.

Requirements detailed in this document do not guarantee survival of the buildings or the occupants. The client is strongly encouraged to develop and practice a bushfire survival plan.

Information and assistance including a template for a Bushfire Survival Plan is provided as part of the 'Fire Ready Kit' available through the CFA website at [www.cfa.vic.gov.au](http://www.cfa.vic.gov.au) or through your local CFA Regional office.

Conditions of Use

No component of this report is to be reproduced for any purpose without the prior written consent of a Director of Euca Planning Pty Ltd. The copyright and intellectual property rights of Euca Planning Pty Ltd extends to the data, ideas, methodologies, calculation procedures and conclusions presented in this report and must not be used without authorisation in writing from Euca Planning Pty Ltd.

Version Control

	<b>Name</b>	<b>Date Completed</b>	<b>Comments</b>
<b>Field Assessment</b>	Courtney Campbell	30 August 2024	
<b>Mapping</b>	Deanne Smith	11 September 2024	
<b>Initiate</b>	Kelly Hedley	4 September 2024	
<b>Final</b>	Deanne Smith	23 September 2024	



## Contents

Disclaimer.....	2
Conditions of Use .....	2
Version Control .....	2
Contents.....	3
Executive Summary.....	4
1.0 Introduction .....	5
1.1 Application Details .....	5
1.2 Site Description .....	5
1.3 Site Location.....	6
2.0 Bushfire Hazard Landscape Assessment.....	7
2.1 Planning Policy Framework.....	7
2.2 Planning Policy Framework Assessment.....	10
2.2.1 Objective .....	10
2.2.2 Application .....	10
2.2.3 Strategies .....	10
2.2.4 Policy Guidelines .....	15
3.0 Bushfire Hazard Landscape Assessment.....	16
3.1 Regional Bushfire Planning Assessment .....	17
3.2 Vegetation Extent in the Broader Landscape .....	17
3.3 Topography .....	17
3.4 Surrounding Road Network .....	18
3.5 Bushfire History of the Area.....	18
3.6 Bushfire Scenarios.....	19
4.0 Bushfire Hazard Site Assessment.....	20
4.1 Vegetation.....	20
4.2 Topography .....	24
4.3 Separation from the Hazard and Bushfire Attack Level for the Proposed Development.....	24
5.0 Bushfire Management Statement .....	26
5.1 Design Response Against Clause 53.02.....	27
5.2 Expected Planning Permit Conditions.....	30
5.3 Bushfire Management Plan.....	31
6.0 References .....	31
7.0 Appendices.....	31
Appendix One – Proposed Bushfire Management Plan .....	32

## Executive Summary

This report has been prepared to accompany a planning permit application for a three-lot subdivision at 28 Princes Highway Cann River. The site is within the Bushfire Management Overlay (BMO) and is required to demonstrate that the development has regard for the surrounding bushfire hazards.

This report presents a comprehensive assessment of the hazards and suggests mitigation measures to improve the protection of life and property for the proposed three-lot subdivision at 28 Princes Highway Cann River. The site is within the Township Zone (TZ) and is a subdivision so requires a Pathway 2 application to meet the objectives and approval measures of Clause 53.02 of the East Gippsland Planning Scheme. As such a Pathway 2 style response has been adopted for this report.

This report includes the following components:

- An **Assessment against Clause 13.02-1S** of the East Gippsland Planning Scheme.
- A **Bushfire Hazard Landscape Assessment** that considers the landscape risk and whether the Clause 53.02 modelled fire assumptions are adequate.
- A **Bushfire Hazard Site Assessment** considering localised hazards, defensible space and the bushfire attack level.
- A **Bushfire Management Statement** that outlines the design response to the relevant approval measures in Clause 53.02 from the East Gippsland Planning Scheme.
- A **Bushfire Management Plan** that spatially represents the bushfire mitigation measures.

The development site is in Cann River, a remote East Gippsland town. The site is located near other established dwellings, commercial buildings, and currently has a service station. The land is bounded by three roads. The proposed development has low threat vegetation in all directions, grassland to the north and forest in the north and south

The Bushfire Management Statement demonstrates that the defensible space objectives can be met for Column A of Table 2 to Clause 53.02-5 with the entire lots managed as defensible space. Access will be provided for all new lots. Water supply is not required to be provided until such time as a new dwelling is built.

Due to the landscape forest, the proposed development is expected to be affected by prolonged ember attack in the event of a bushfire. A BAL of 29 is deemed appropriate considering the landscape, and the achievement of the Clause 13.02-1S benchmark of not creating lots where dwellings can experience a radiant heat flux of greater than 12.5kW/m<sup>2</sup>.

The site is able to meet the approval measures within clause 53.02 for Column A separation, and an upgraded BAL of 29, based on an FFDI of 100 and a flame temperature of 1090K.

## 1.0 Introduction

This Bushfire Management Statement (BMS) has been prepared to enable the applicants to respond to the requirements of Clause 44.06 Bushfire Management Overlay (BMO) (known from this point on as Clause 44.06), and in accordance with the application requirements of Clause 53.02– Bushfire Planning (known from this point on as Clause 53.02).

The statement contains three components:

- 1 An **assessment against Clause 13.02-1S** of the East Gippsland Planning Scheme.
- 2 A **bushfire hazard landscape assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site.
- 3 A **bushfire hazard site assessment** including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard has been prepared in accordance with Section 2.2.3 to 2.2.5 of AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia) and is supported by photographs to assist in describing the bushfire hazard.
- 4 A **bushfire management statement** describing how the proposed development responds to the requirements of Clause 44.06 and 53.02.
- 5 A **bushfire management plan** that spatially describes the bushfire mitigation measures.

### 1.1 Application Details

Municipality	East Gippsland Shire Council
Title Description	Allot. 3 Sec. 7 TOWNSHIP OF CANN RIVER
Overlays	Bushfire Management Overlay – Schedule 2 (BMO2)
Zoning	Township Zone (TZ)

### 1.2 Site Description

Site shape	Irregular
Site area	The property has a road frontage to Princes Highway of approximately 35.46 metres, Cox Street of approximately 102.06 metres and Tyson Street of approximately 52.99 metres.
Site Dimensions	Approximately 4,445 m <sup>2</sup>
Existing use and siting of buildings and works on and near the land	Existing petrol station building and dwelling.
Existing vehicle arrangements	From Princes Highway for the service station and Cox Street for the dwelling
Nearest fire hydrant	Princes Highway
Private bushfire shelter	Not proposed
Any other site features relevant to bushfire risk	This site is a simple infill subdivision. Forest in the broader landscape.



### 1.3 Site Location

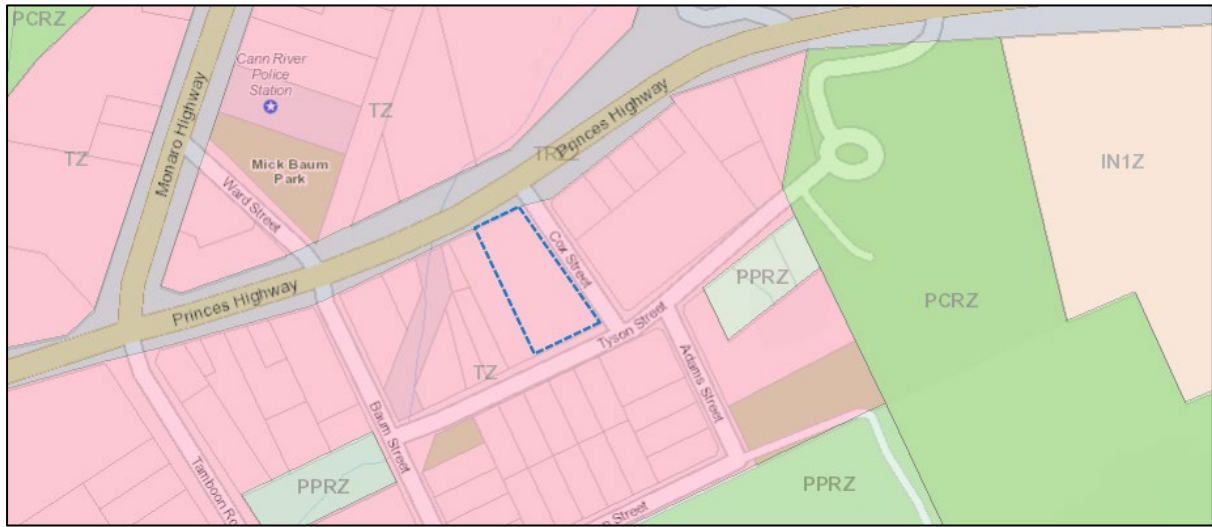


Figure One – Property Location – identified with the blue dashes central to the map (VicPlan, 2024)



Figure Two – Property Location – 28 Princes Highway Cann River (VicPlan, 2024)

## 2.0 Bushfire Hazard Landscape Assessment

### 2.1 Planning Policy Framework

Clause 71.02-3 (integrated decision making) of the Planning Scheme has been recently amended and provides that:

*Planning authorities and responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However in bushfire affected areas, planning authorities and responsible authorities must prioritise the protection of human life over all other policy considerations.*

Clause 13.02-1S (Bushfire) of the Planning Scheme applies to all decision making and seeks to:

*To strengthen the resilience of settlements and communities to bushfire through **risk-based planning** that prioritises the protection of human life.*

**[Emphasis added]**

Clause 13.02-1S includes a number of strategies to achieve that objective. Broadly these strategies include:

- prioritising the protection of human life;
- requiring a robust assessment of the bushfire hazard and risk assessment before any strategic or statutory decision is made; and
- directing population growth and new settlements to low risk locations.

Importantly in relation to the protection of human life, clause 13.02-1S includes the following requirements:

*Give priority to the protection of human life by:*

- *Prioritising the protection of human life over all other policy considerations.*
- *Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.*
- *Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision-making at all stages of the planning process.*

In relation to Bushfire hazard identification and assessment, clause 13.02-1S includes the following relevant requirements:

*Identify bushfire hazard and undertake appropriate risk assessment by:*

- *Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.*
- *Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the Building Act 1993 or regulations made under that Act.*

- *Considering and assessing the bushfire hazard on the basis of:*
  - *Landscape conditions - meaning conditions in the landscape within 20 kilometres (and potentially up to 75 kilometres) of a site;*
  - *Local conditions - meaning conditions in the area within approximately 1 kilometre of a site;*
  - *Neighbourhood conditions – meaning conditions in the area within 400 metres of a site; and*
  - *The site for the development.*
- *Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.*
- *Ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.*
- *Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.*

Importantly in relation to settlement planning, clause 13.02-1S includes the following requirements:

Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:

- *Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metres under AS3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).*
- *Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under AS3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009) where human life can be better protected from the effects of bushfire.*
- *Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.*
- *Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reduce bushfire risk overall.*
- *Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighborhood and site scale, including the potential for neighborhood-scale destruction.*
- *Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighborhood basis.*
- *Not approving any strategic planning document, local planning policy, or*



*planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under AS3959-2009.*

In relation to use and development control in a Bushfire Prone area, clause 13.02-1S includes the following relevant requirements:

*Use and development control in a Bushfire Prone Area In a bushfire prone area designated in accordance with regulations made under the Building Act 1993, bushfire risk should be considered when assessing planning applications for the following uses and development:*

*... Subdivisions of more than 10 lots  
....Accommodation*

*When assessing a planning permit application for the above uses and development:*

- Consider the risk of bushfire to people, property and community infrastructure.*
- Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.*
- Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.*

The use and development control does not specifically apply to this proposal as the subdivision is only 3 lots, and no dwelling is proposed. However, the ultimate intent of the new lot will be to develop a dwelling and this report demonstrates that the lot meets Clause 13.02-1S including the long-term intent of the use and development control without jeopardization of the safety of the existing dwelling.

When these strategies are read together it is clear that any future development would be required to provide a considered assessment of the bushfire risk. As such, the development must ensure it responds to bushfire risk. The purpose of this report is to undertake such an assessment for the site including an assessment of the likely fire behaviour and the risk to future residents. It is acknowledged that this site is subject to the Bushfire Management Overlay and Parts 3 to 5 of this report specifically address the application requirements of Clause 44.06 and 53.02 of the East Gippsland Planning Scheme.

In the context of strategic planning decisions, these strategies need to be read as on balance and consider the 'net increase in risk to existing and future residents'. As it relates to the objectives at Clause 13.02-1S of the Planning Scheme, it is necessary to ensure that the protection of human life is prioritised when decisions are made. However the strategies listed at Clause 13.02-1S in the Planning Scheme are not 'mandatory requirements' and it is not necessary to 'tick every box'. It is more important to ensure that decisions are consistent with the State policy objectives and build resilient communities.

2.2 Planning Policy Framework Assessment

2.2.1 Objective

Clause 13.02-1S seeks to ‘strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life’.

2.2.2 Application

The policy must be applied to all planning and decision making under the Planning and Environment Act 1987 relating to land which is within a designated bushfire prone area, or subject to a Bushfire Management Overlay.

Bushfire Prone Area and Bushfire Management Overlay

The planning proposal area is included in the Bushfire Prone Area (BPA). As described in Planning Advisory Note 46 (2013), the BPA is a building regulation tool that identifies where moderate bushfire hazard can be expected. It applies to areas subject to the BMO, and to areas that experience a lower head fire intensity modelled to be between 4,000kW/m and 30,000kW/m. This level of hazard informs areas declared as bushfire prone in the building system. Areas at the upper end of the bushfire intensity range (that is 28,000kW/m and above and referred to as BHL1b) are considered, where appropriate, for applying the BMO based on the advice of the relevant fire authority. The land is contained in the BMO. The entire planning proposal site is subject to the BPA and the BMO. The greater area in Cann River is also in the BPA and BMO reflecting the moderate to high bushfire hazard that can be expected from the vegetation connecting to and distributed through the area.

In December 2017, Clause 13.02-1S of the East Gippsland Planning Scheme was amended to specifically refer to Bushfire Prone Areas and to strengthen the consideration of bushfire risk in all planning decisions. As the site is fully contained within the Bushfire Prone Area, the minimum level of construction for all dwellings is BAL 12.5, and this bushfire risk must be considered.

2.2.3 Strategies

Protection of human life

<i>Give priority to the protection of human life by:</i>	<i>Response</i>
Prioritising the protection of human life over all other policy considerations	<ul style="list-style-type: none"> <li>- This proposal provides for a new lot that can accommodate a dwelling that responds to the risk of bushfire through siting and construction in an urbanised area.</li> <li>- The proposal can be undertaken in a manner that will improve the safety of the existing residents in the established lots with the establishment of defendable space across the land.</li> </ul>
Directing population growth and development to low risk locations and ensuring the availability of, and safe access to,	<ul style="list-style-type: none"> <li>- The lot has existed for many years and is part of a developed township with many lots containing established buildings and</li> </ul>

areas where human life can be better protected from the effects of bushfire.	<p>dwellings.</p> <ul style="list-style-type: none"> <li>- Existing buildings and dwellings exist neighbouring and adjacent Princes Highway to this development.</li> <li>- The overall design can respond to the vegetation external to the site.</li> <li>- Access and egress is facilitated from Princes Highway to leave Cann River.</li> </ul>
Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision-making at all stages of the planning process.	<ul style="list-style-type: none"> <li>- An application to develop land needs to articulate how the design responds to the identified bushfire risk.</li> <li>- The vegetation is expected to yield less than 12.5kW/m<sup>2</sup> of radiant heat with road separation.</li> </ul>

Bushfire hazard identification and assessment

<i>Identify bushfire hazard and undertake appropriate risk assessment by:</i>	<i>Response</i>
Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.	<ul style="list-style-type: none"> <li>- The East Gippsland Planning Scheme relies on the planning proposal to respond to bushfire based on current assessment methods.</li> <li>- Clauses 13.02-1S, 44.06 and 53.02 are to be considered for proposal.</li> <li>- Clause 71.02-3 <i>Integrated Decision Making</i> strengthens the importance of bushfire planning as an appropriate tool to reconcile potential conflicts in design and vision.</li> <li>- The assessment method aligns with AS3959 and is provided in this report (see Section 4).</li> </ul>
Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the Building Act 1993 or regulations made under that Act.	<ul style="list-style-type: none"> <li>- Consistent with the revised Clause 13.02-1S, the planning proposal responds to the Bushfire Prone Area and the Bushfire Management Overlay.</li> <li>- This report demonstrates that sufficient setbacks from the vegetation can be achieved to meet Column A of Table 2 of Clause 53.02 in all directions.</li> </ul>
Applying the Bushfire Management Overlay in planning schemes to areas where the extent of vegetation can create an extreme bushfire hazard	<ul style="list-style-type: none"> <li>- The BMO does apply to the entire portion of this land recognising that the land is in an area of high bushfire hazard. The BMO is addressed in Sections 3 to 5 of this report.</li> </ul>
Considering and assessing the bushfire hazard on the basis of: <ul style="list-style-type: none"> <li>• Landscape conditions - meaning the conditions in the landscape within 20 kilometres and potentially up to 75</li> </ul>	<ul style="list-style-type: none"> <li>- In light of the recent changes to Clause 13.02 and the addition of this assessment requirement, an assessment is provided in Section 3.0 of this report.</li> <li>- As it is a three-lot subdivision in the BMO</li> </ul>



<p>kilometres from a site;</p> <ul style="list-style-type: none"> <li>• Local conditions - meaning conditions in the area within approximately 1 kilometre from a site;</li> <li>• Neighbourhood conditions - meaning conditions in the area within 400 metres of a site; and,</li> <li>• The site for the development</li> </ul>	<p>four scales of consideration are applied - Landscape conditions and local site conditions within Section 3.0 of this report.</p> <ul style="list-style-type: none"> <li>- Neighbourhood and local conditions are considered in Figure 3(a) and Figure 3(b).</li> <li>- The site conditions are considered through the Bushfire Hazard Site Assessment within Section 4.0 of this report.</li> </ul>
<p>Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.</p>	<ul style="list-style-type: none"> <li>- It is expected that this development would be referred to CFA for consideration as it is in the Bushfire Management Overlay.</li> </ul>
<p>Ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures</p>	<ul style="list-style-type: none"> <li>- The content of this report provides a solid foundation for the design and subsequent approval of the planning proposal, with regard to bushfire risk.</li> <li>- Assessing the site-based bushfire risk and including appropriate bushfire protection measures (e.g. managed land, BALs, separation from the hazard) enables the achievement of the direction of the Planning Scheme.</li> </ul>
<p>Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.</p>	<ul style="list-style-type: none"> <li>- This element of the revised Clause 13.02-1S is the most important element and empowers the Responsible Authority to not approve a permit application until it is satisfied with the bushfire protection measures being implemented.</li> <li>- This report demonstrates that the risk of bushfire should not be a reason for refusal.</li> </ul>

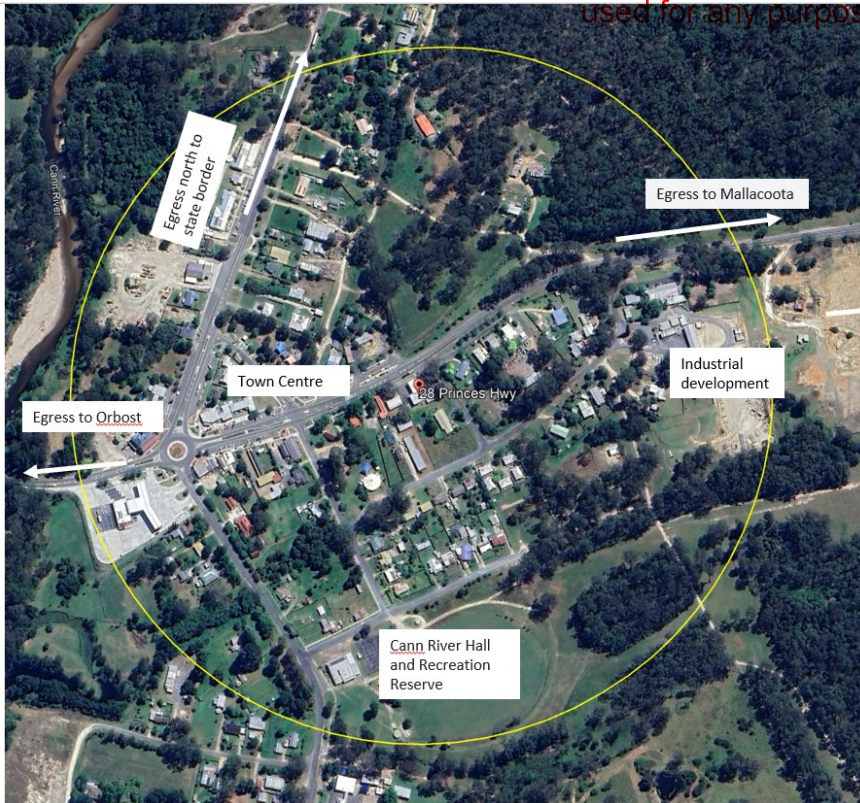


Figure Three (a) – Neighbourhood conditions within 400m

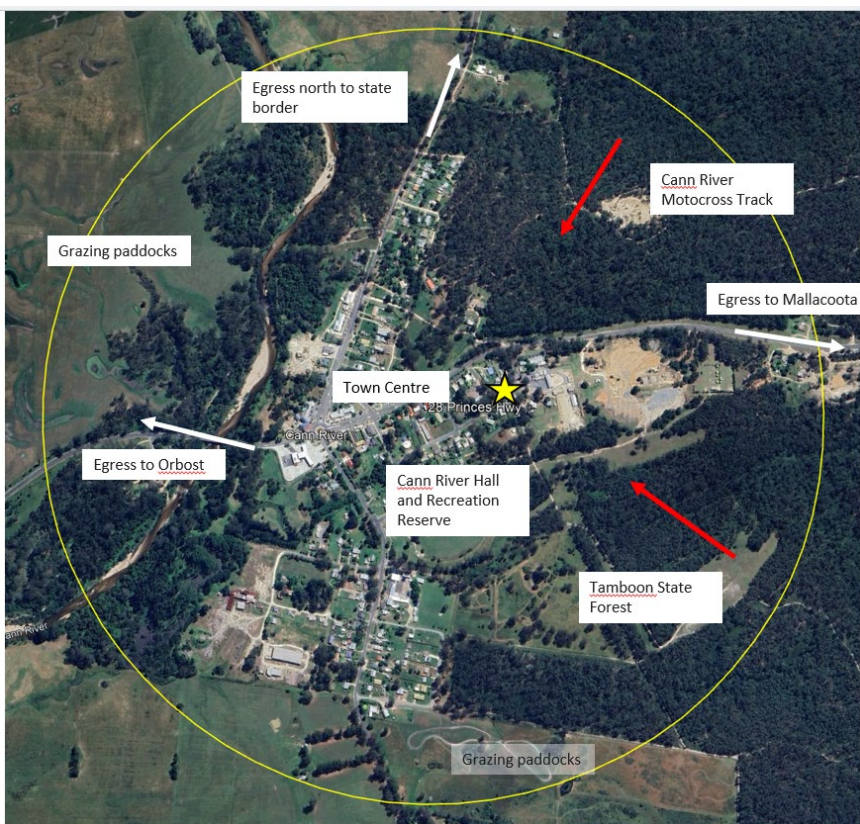


Figure Three (b) – Local conditions within 1km

Settlement Planning

<i>Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:</i>	<i>Response</i>
Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metres under AS3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).	<ul style="list-style-type: none"> <li>- Recognising the land is an established lot in an area that is at high risk from bushfire, development of land by subdivision should only proceed where all elements of the BMO are achieved.</li> <li>- This report demonstrates that this goal is achieved including the provision of the greatest separation from the hazard and an increased level of construction.</li> <li>- The new lots have a siting that has been assessed as having a radiant heat flux of less than 12.5kW/m2 under AS3959.</li> </ul>
Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under AS3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009) where human life can be better protected from the effects of bushfire	<ul style="list-style-type: none"> <li>- Neighbourhood Safer Place is located at P-12 College, Cnr Tamboon Road and Stephenson Street, Cann River 3890 which is a built-form NSP.</li> </ul>
Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.	<ul style="list-style-type: none"> <li>- The establishment and maintenance of defensible space will accompany the build of any dwelling on Lot 2 or 3. The increased level of vegetation management will reduce the risk of bushfire to the existing residents.</li> </ul>
Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reduce bushfire risk overall.	<ul style="list-style-type: none"> <li>- Any new dwelling will implement the current regulations pertaining to bushfire construction. A Section 173 Agreement will ensure this occurs for Lots 2 and 3 as the service station is to remain on Lot 1.</li> </ul>
Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighbourhood and site scale, including the potential for neighbourhood-scale destruction	<ul style="list-style-type: none"> <li>- An assessment is provided.</li> <li>- Four scales of consideration are applied: and contained in this report.</li> <li>- The site conditions are best considered through the Bushfire Hazard Site Assessment methodology.</li> </ul>
Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.	<ul style="list-style-type: none"> <li>- The proposal is an existing lot in an established township.</li> <li>- This proposal increases the resilience by providing one smaller development, likely to being developed with new resilient dwelling, and provides for a more managed area of land.</li> </ul>
Not approving any strategic planning	<ul style="list-style-type: none"> <li>- The proposal is a statutory planning</li> </ul>



document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under AS3959-2018.	application only.
--	-------------------

Areas of high biodiversity conservation value

Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are of high biodiversity conservation value.

*Assessment of the development*

- No vegetation requires removal.

Use and development control in a Bushfire Prone Area

In a bushfire prone area designated in accordance with regulations made under the Building Act 1993, bushfire risk should be considered when assessing planning applications for accommodation, and for subdivisions of 10 or more lots. Neither of these apply to this situation. This report does provide evidence that the proposal achieves no net increase in bushfire risk.

2.2.4 Policy Guidelines

Planning must consider as relevant:	Response
Any relevant approved State, regional and municipal fire prevention plan.	Fire prevention measures of the East Gippsland Shire Municipal Fire Prevention Plan ensure the roadside of the Princes Highway and the neighbourhood are managed.
AS3959-2018 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).	This is relevant through the derivation of Bushfire Attack Levels, and is considered when referring to the BAL. Current standard is AS3959-2018.
Building in bushfire-prone areas - CSIRO & Standards Australia (SAA HB36-1993, May 1993).	This is the handbook to AS3959 and does not need to be considered directly by the planning proposal.
Any Bushfire Prone Area map prepared under the Building Act 1993 or regulations made under that Act.	The updated Bushfire Prone Area map has been considered in this report.

### 3.0 Bushfire Hazard Landscape Assessment

The Bushfire Hazard Landscape Assessment includes a plan that describes the bushfire hazard of the general locality surrounding the site (Figure Four).

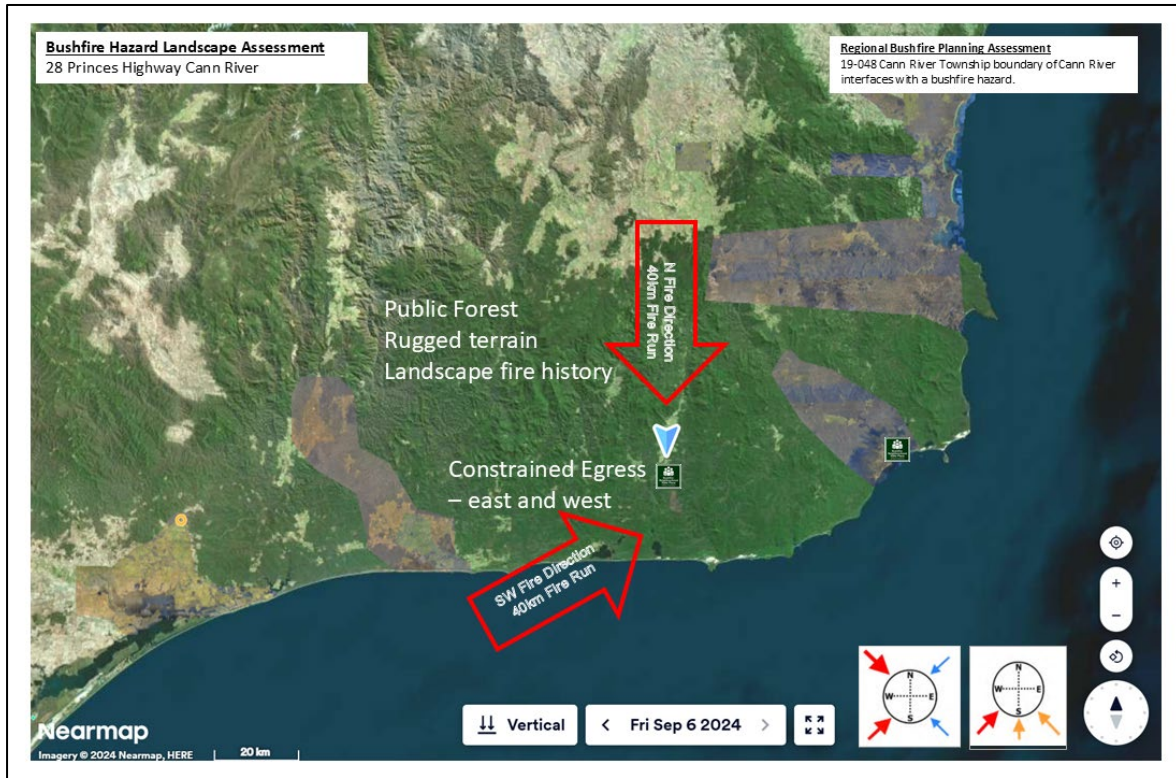


Figure Four – Bushfire Hazard Landscape Assessment

The landscape risk of a site is an important consideration when mitigating bushfire hazards. The landscape risk is the combination of several elements in the surrounding landscape. These relate to the vegetation extent, the area available to a landscape bushfire, the orientation of the ridgelines and the steepness of the terrain, the accessibility to low threat areas and the quality of the road networks surrounding the site.

This site is positioned in the town centre of Cann River, a remote East Gippsland town and service centre. Whilst the CBD provides some shelter from bushfire and there is a NSP-PLR in town, the site is considered ‘**Landscape Type 4**’ as defined by DELWP guidance:

- *The broader landscape presents an extreme risk.*
- *Fires have hours or days to grow and develop before impacting.*
- *Evacuation options are limited or not available.*

The site will experience landscape fire scenarios that are within the assumptions of the Bushfire Management Overlay, however the town will have landscape fire beyond its surrounds that are outside the assumptions with convective fire behaviour and rugged terrain. The design of the dwellings, the defensible space and consideration of egress is necessary to develop an appropriate site-responsive design. The site will experience ember attack, isolation, radiant heat and localised ignitions associated with the landscape fire.

### 3.1 Regional Bushfire Planning Assessment

The Regional Bushfire Planning Assessment (RBPA) for the Gippsland Region (2012) provides a high-level analysis of locations where the bushfire hazard may impact on planning objectives. The RBPA provides information where a range of land use planning matters intersect with a bushfire hazard to influence the level of risk to life and property from bushfire. This information is required to be used as part of strategic land use and settlement planning at the regional, municipal and local levels.

*“The RBPA is not a statutory planning provision and does not directly translate into planning schemes. However, it complements planning scheme provisions such as the Bushfire Management Overlay (BMO) by providing spatial and qualitative information from a variety of sources which together can inform considerations about where bushfire should be assessed early in the strategic planning process.”* RBPA – Gippsland Region (2012)

After review of the RBPA, it is noted that the proposal falls in an area identified as:

**19-048 Cann River - Township boundary of Cann River interfaces with a bushfire hazard.**

### 3.2 Vegetation Extent in the Broader Landscape

The vegetation in the broader landscape is forest. The vegetation is associated with large tracts of public forest. Limited grassland exists for farming. An indication of the nearby Ecological Vegetation Classes in the landscape is provided below (site central to image).

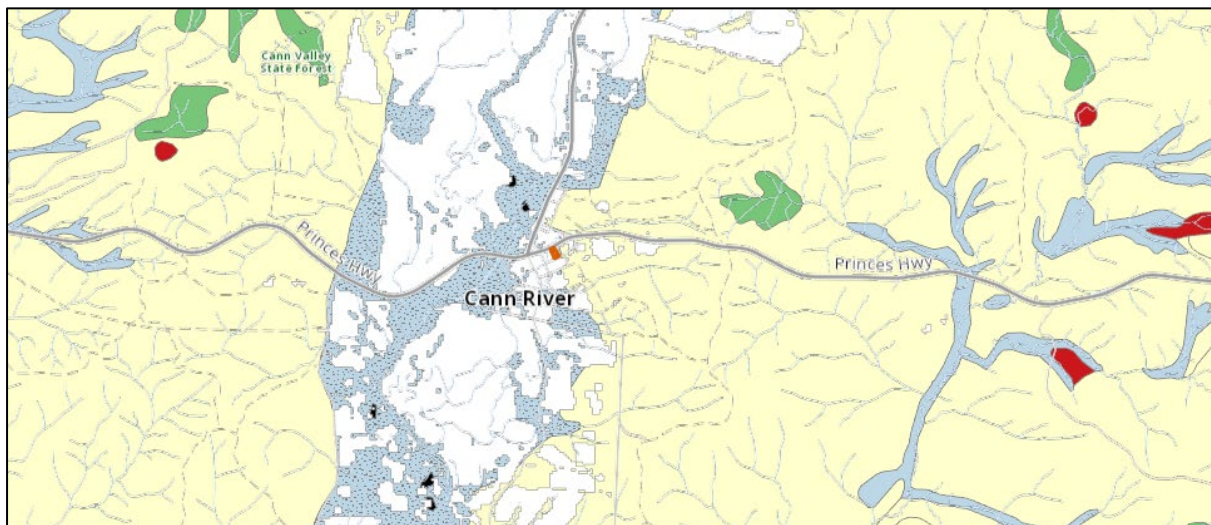


Figure Five – NatureKit Map of surrounds with subject site central to the image showing, Riparian Forest (blue with dots), Lowland Forests (orange), Rainforests (black), Damp Forests (green) and Heathlands (red) (NatureKit, 2024)

### 3.3 Topography

The topography of the surrounding landscape is typical of this area of East Gippsland. The rugged mountain terrain is forested, remoted and largely inaccessible.



This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

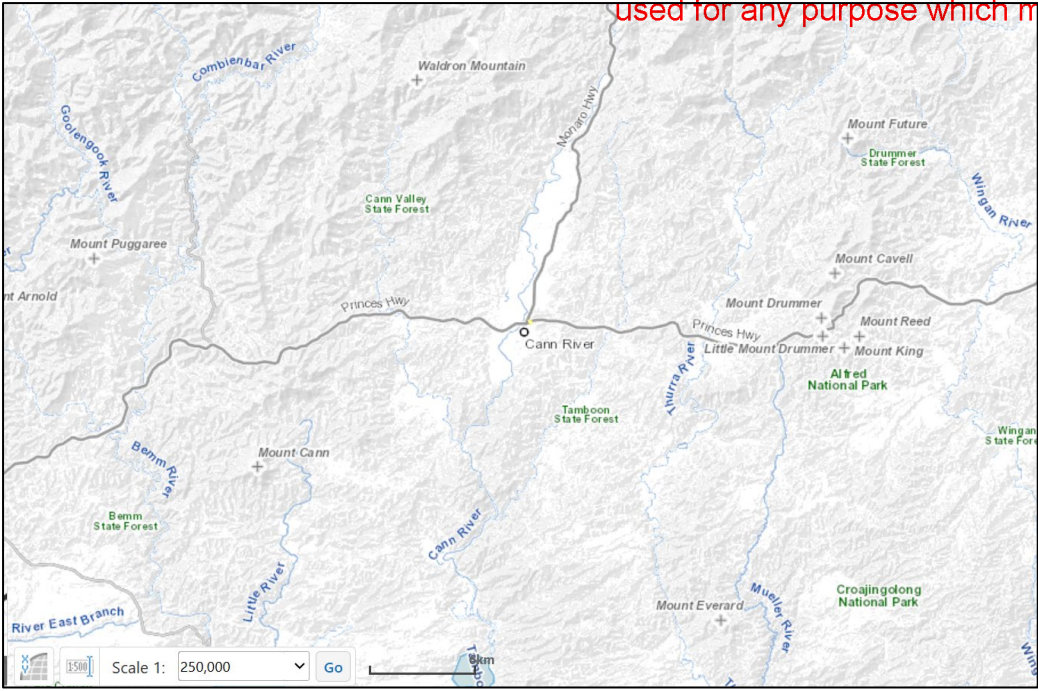


Figure Six – Topography of area around the site (VicPlan, 2024)

### 3.4 Surrounding Road Network

The planning proposal site has frontage to Princes Highway. This access is the main road through the Cann River Township, and also the broader network, connecting Orbst in the south-west and Eden in the north-east.

### 3.5 Bushfire History of the Area

There is extensive fire history in the public land (Figure 7a). Planned burns are undertaken for ecological and township protection (Figure 7b).

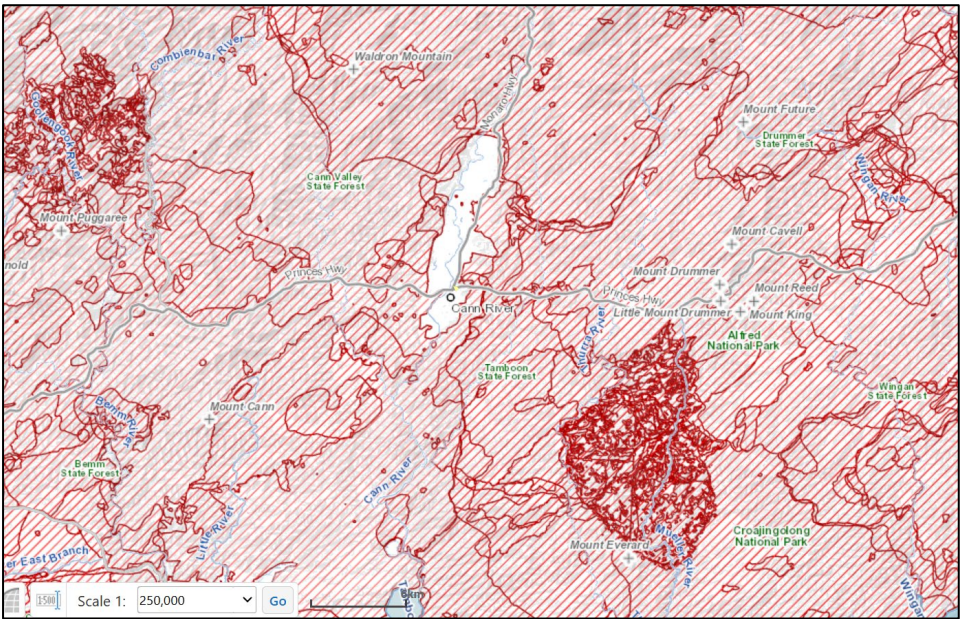
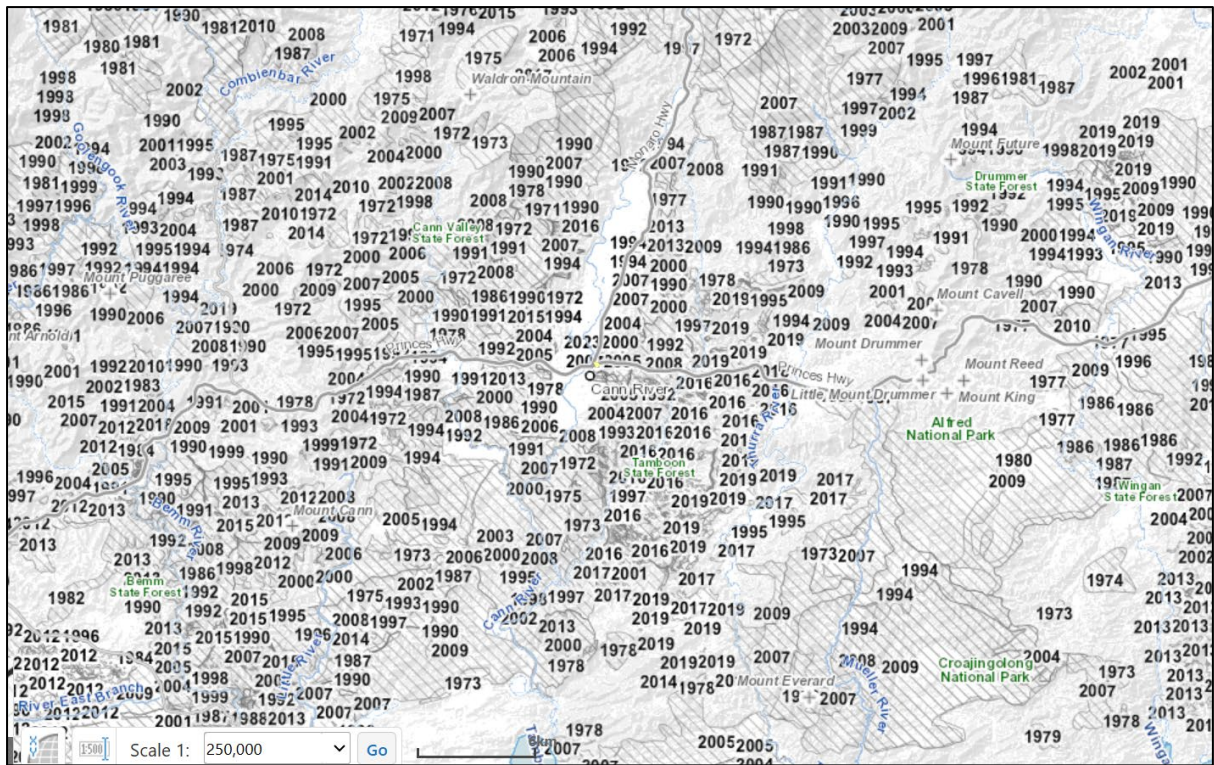


Figure Seven(a) – Fire History Map of bushfires 1970-present (red) (NatureKit, 2024)



Figure Seven(b) - Planning burns 1970-present (black) (NatureKit, 2024)



### 3.6 Bushfire Scenarios

The site is at an increased risk from bushfire due to the landscape forest surrounding Cann River. Consideration of the potential bushfire behaviour local to the site has been undertaken.

#### Scenario 1 –Bushfire from the north

A fire approaching from the north has the potential for a fire run exceeding 40km over days and weeks. This fire will provide ember attack to Cann River for many days whenever the fire is active. This fire is a landscape fire and is likely to have convective behaviour.

#### Scenario 2 – Bushfire from the south-west

A fire approaching from the south-west can originate from a northerly fire run or a linear coastal fire. Both the south-westerly wind change, and the coastal wind influence can drive a fire towards the town blocking egress.

All landscape fires in this location can threaten and isolate the town of Cann River. Development should be directed into the town centre.



## 4.0 Bushfire Hazard Site Assessment

The Bushfire Hazard Site Assessment includes a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard is prepared in accordance with AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2 (Vegetation exclusions). Refer to Figure Eight. Distances are detailed in Table 1 and Table 2.



Figure Eight – Bushfire Hazard Site Assessment

### 4.1 Vegetation

The vegetation within the 150 metre assessment area was classified according to AS 3959, Practice Note 65 (DTPLI 2014) and the Overall Fuel Hazard Assessment Guide (DSE, 2010).

The Bushfire Hazard Site Assessment has been conducted to deliver the ‘Bushfire hazard identification and assessment’ strategy outlined in Clause 13.02-1S of the Scheme. This report demonstrates that the application meets the objective of Clause 13.02-1S ‘*To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life*’ by avoiding the bushfire hazard using maximum separation, and implementing bushfire mitigation measures that respond to the planning zone, the neighbourhood and site context, and the outcome of the assessment.

The Standard AS 3959 approach uses a generalised description of vegetation based on the AUSLIG Australian Natural Resources Atlas” No.7 Native Vegetation classification system. According to this



method, vegetation can be classified into seven categories. Each category indicates a particular type of fire behaviour and these categories or classifications are then used to determine bushfire intensity. Information gained from the Ecological Vegetation Classes (Figure Four) reinforces the vegetation classification chosen, and provides an indication of connectivity within the greater landscape.

The forms of classifiable vegetation identified on this site are described below.

### **Vegetation Classification: Forest**

#### **AS3959:2018 Definition:**

*Trees 10-30 m high; 30-70% foliage cover (may include understorey of sclerophyllous low trees and tall scrubs or grass). Typically dominated by eucalypts.*

#### **Site Description:**

An area of open woodland is located approximately 102 metres to the north of the site, this is considered forest in the BMO with the canopy connection in places. The woodland is in the front of a private residence on larger lot. The vegetation is flat, then upslope to the north. An additional patch is located in the south-east.



Image – Woodland, photo taken looking north across the grassland



**Vegetation Classification: Grassland**

**AS3959:2018 Definition:**

*All forms, including situations with shrubs and trees, if the overstorey foliage cover is less than 10%.*

**Site Description:**

The proposal has grassland approximately 40 metres to the north. The grass is long and reedy.



Image – Where the unmanaged grassland north of the site meets the mown highway road reserve, photo taken looking north-east.

**Vegetation Classification: Excludable and Low threat vegetation**

**AS3959:2018 Definition:**

*2.2.3.2 Exclusions – Low threat vegetation and non-vegetated areas*

*The following vegetation shall be excluded from a BAL assessment:*

- a. Vegetation of any type that is more than 100 m from the site*
- b. Single areas of vegetation less than 1 ha in area and not within 100 m of other areas of vegetation being classified vegetation.*
- c. Multiple areas of vegetation less than 0.25 ha in area and not within 20 m of the site, or each other or of other areas of vegetation being classified vegetation.*
- d. Strips of vegetation less than 20 m in width (measured perpendicular to the elevation exposed to the strip of vegetation) regardless of length and not within 20 m of the site or each other, or other areas of vegetation being classified vegetation.*



- e. *Non-vegetated areas, that is, areas permanently cleared of vegetation, including waterways, exposed beaches, roads, footpaths, buildings and rocky outcrops.*
- f. *Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. This includes grassland managed in a minimal fuel condition, mangroves and other saline wetlands, maintained lawns, golf courses (such as playing areas and fairways), maintained public reserves and parklands, sporting fields, vineyards, orchards, banana plantations, market gardens (and other non-curing crops), cultivated gardens, commercial nurseries, nature strips and windbreaks.*

**NOTES:**

1. *Minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack (recognizable as short-cropped grass for example, to a nominal height of 100 mm).*
2. *A windbreak is considered a single row of trees used as a screen or to reduce the effect of wind on the leeward side of the trees.*

**Site Description**

The site has low threat vegetation in the form of the Princes Highway to the north and local streets to the east and south (Clause 2.2.3.2(e)). There are managed buildings and gardens in adjacent and nearby residential and commercial properties (Clause 2.2.3.2(f)).



Images – Excludable and Low threat vegetation



## 4.2 Topography

The topography of the site and the surrounding area is characterised by the flat town centre, upslope towards the eastern end of town, and decline to the river in the west.



Figure Nine – Topography local to the site (VicPlan, 2024)

## 4.3 Separation from the Hazard and Bushfire Attack Level for the Proposed Development

The bushfire attack level (BAL) is a means of measuring the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact, using increments of radiant heat expressed in kilowatts per metre squared. The BAL is also the basis for establishing the requirements for construction to improve protection of building elements from attack by bushfire.

The highest BAL determines the construction requirements for the dwelling. A reduction of one BAL level may be applied if facades of the house are shielded from the bushfire hazard. In this case, it is not appropriate to apply a reduction as no facades are entirely shielded from the bushfire hazard. The BAL for this site has been calculated using a Forest Fire Danger Index (FFDI) of 100 and a Flame Temperature of 1090K. These parameters are in accordance with the risk parameters set in Clause 53.02.

An assessment of the site conditions without modification was made and informs the BAL assessment. As this is a three-lot subdivision, the ability for each site to achieve a dwelling site with a BAL29 defensible space, is required by Clause 44.06 however cognoscente of the intent of Clause 13.02-1S it is demonstrated that no future dwelling will be exposed to a radiant heat of greater than 12.5kW/m<sup>2</sup>. The defensible space required extends across Lot 2 and 3, thus ensuring that the land is maintained in a low threat vegetation state into the future benefiting each lot and the surrounding lots. The service station will remain on Lot 1.

Table 1 – Separation from the Hazard Assessment (Without modification)

Orientation	Classified vegetation	Average slope under classifiable vegetation	Separation distance	Separation achieved
North	Grassland	Flat	40 metres	Column A
	Forest	Flat	102 metres	Column A
East	Low threat	Not applicable	Not applicable	Table 2
South	Forest	Flat	53 metres	Column A
West	Low threat	Not applicable	Not applicable	Table 2

Table 2 – Defendable Space determination (Column A, BAL12.5)

Orientation	Highest threat vegetation	Average slope under classifiable vegetation	Separation distance currently	Separation achieved
North	Forest	Flat	102 metres	Column A
East	Low threat	Not applicable	Not applicable	Table 2
South	Forest	Flat	53 metres	Column A
West	Low threat	Not applicable	Not applicable	Table 2

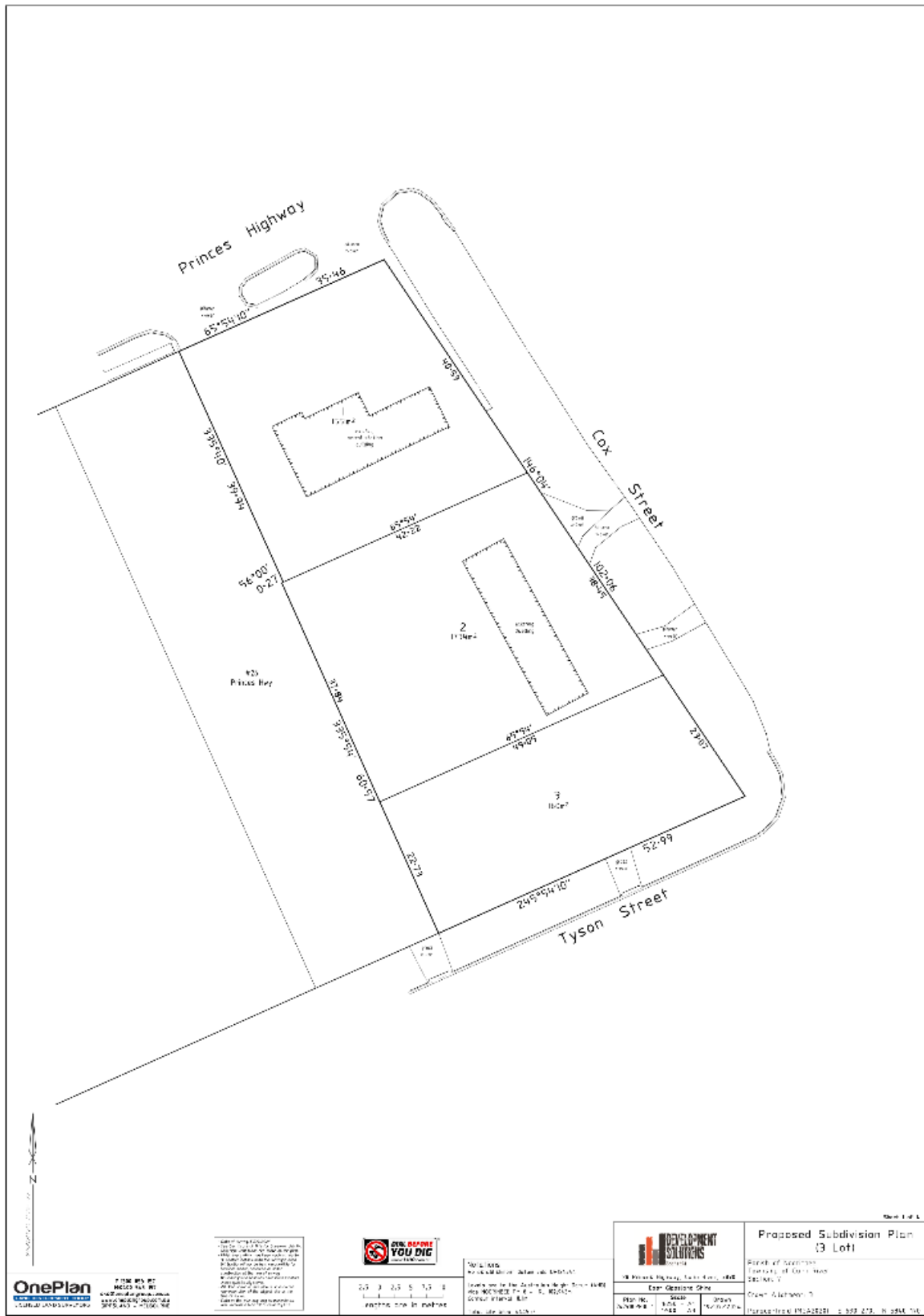
Assumptions:

- The service station is remaining on Lot 1
- The existing dwelling may (or may not) remain into the future
- The adjacent lots will remain managed as Low Threat Vegetation
- The abutting roads provided land commensurate with defendable space
- The grassland in the north is 8 metres closer than the full extent of Column A separation from the forest hazard but given the width of the Princes Highway, managed road reserve with powerlines overhead, it is not deemed prohibitive.

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

### 5.0 Bushfire Management Statement

Below is an image of the proposed Plan of Subdivision.





## 5.1 Design Response Against Clause 53.02

In accordance with Clause 44.06 Bushfire Management Overlay a response is provided against Clause 53.02. A selection of the sub clauses and associated objectives, approved measures (AM), alternative measures (AltM) and decision guidelines applies to this application. Table 3 details which clauses are relevant to this application and the following pages demonstrate how the requirements have been met for each relevant standard.

Table 3 Specification of relevant clauses

Clause	Approved Measure	Achieved	Justification
<b>Clause 53.02-3 Dwelling in existing settlements – Bushfire protection objective</b>	AM 1.1	Not applicable	
	AM 1.2	Not applicable	
	AM 1.3	Not applicable	
<b>Clause 53.02-4.1 Landscape, siting and design objectives</b>	AM 2.1	Applicable	Subdivision
	AM 2.2	Applicable	As required by AM5.2
	AM 2.3	Not applicable	Subdivision only, no new buildings
<b>Clause 53.02-4.2 Defendable space and construction objectives</b>	AM 3.1	Not applicable	Addressed through AM5.1
	AM 3.2	Not applicable	
	AltM 3.3	Not applicable	
	AltM 3.4	Not applicable	
	AltM 3.5	Not applicable	
<b>Clause 53.02-4.3 Water supply and access objectives</b>	AM 4.1	Applicable	As required by AM5.2
	AM 4.2	Not applicable	
<b>Clause 53.02-4.4 Subdivision objectives</b>	AM 5.1	Not applicable	
	AM 5.2	Applicable	Township Zone (TZ)
	AM 5.3	Not applicable	Less than 10 lots
	AM 5.4	Applicable	Limited relevance
	AltM 5.5	Not applicable	Less than 10 lots

The following part of the application outlines each of the relevant clauses and provides justification as to how this design responds to the requirements.

### Clause 53.02-4.1 Bushfire Protection objective

#### Landscape, siting and design objective

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.

Approved Measure	Requirement
AM 2.1	<p><b>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</b></p> <p><b>Response:</b> This site is positioned in the eastern end of the Cann Rver town centre and represents a simple infill subdivision in an established settlement. The subdivision increases the opportunity for one dwelling to be located in close proximity to existing dwellings and commercial buildings. The site will experience ember attack. These scenarios are detailed earlier in this report, and will bring fire to the town. It is noted that site is in the town centre and has the ability to achieve a separation from the hazard commensurate to Column A of Table 2 to Clause 53.02-5. The landscape bushfire scenarios are not all within the scope of the Bushfire Management Overlay assumptions, and an increased construction standard to respond to ember attack is adopted. Construction level is upgraded to respond to prolonged ember attack.</p>
AM 2.2	<p><b>A building is sited to ensure the site best achieves the following:</b></p> <ul style="list-style-type: none"> <li>• <b>The maximum separation distance between the building and the bushfire hazard</b></li> <li>• <b>The building is in close proximity to a public road</b></li> <li>• <b>Access can be provided to the building for emergency services vehicles</b></li> </ul> <p><b>Response:</b> There is an ability to locate buildings to achieve maximum separation distance from the hazard. The siting opportunity on each lot to site a building that achieves Column A of Table 2 to Clause 53.02-5, is able to be achieved. Both dwelling lots, have defendable space to be provided across their entirety in recognition of proximity to low threat vegetation, thus separating the bushfire hazard from the buildings. All lots directly access a public road. Fire brigade access is required to static water supplies.</p>

**Clause 53.02-4.3 Water supply and access objectives**

A static water supply is provided to assist in protecting property.

Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

Approved Measure	Requirement
AM 4.1	<p><b>A building used for a dwelling (including an extension or alteration to a dwelling), a small second dwelling, industry, office or retail premises is provided with:</b></p> <ul style="list-style-type: none"> <li>• <b>A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5.</b></li> <li>• <b>Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.</b></li> </ul>

**The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for firefighting water supplies.**

**Response:** Lot 1 is established with a service station, but the other lots will require a non-combustible water tank containing a minimum of 10,000 litres of water to be provided at the time of building a dwelling. These requirements will be achieved through the required Section 173 agreement relating to bushfire protection measures. Both lots directly access a public road. Fire brigade access will be required to the water supplies so access will be specified.

The subdivision meets the approved measures AM4.1 and the water supply and access objective (Clause 53.02-4.3) as required by Clause 53.02-4.4 AM5.2.

**Clause 53.02-4.4 Subdivision objectives**

To provide lots that are capable of being developed in accordance with the objectives of Clause 53.02.

To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.

Approved Measure	Requirement
AM 5.2	<p><b>An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows:</b></p> <ul style="list-style-type: none"> <li>• Each lot satisfies the approved measure in AM2.1</li> <li>• A building envelope for a single dwelling on each lot that complies with AM2.2 and provides defensible space in accordance with:                             <ul style="list-style-type: none"> <li>○ Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or</li> <li>○ Columns A, B or C of Table 2 to Clause 53.02-5 for a subdivision that creates less than 10 lots.</li> </ul> <p>The bushfire attack that corresponds to the defensible space provided in accordance with Table 2 to Clause 53.02-5 must be noted on the building envelope.</p> </li> <li>• Defensible space wholly contained within the boundaries of the proposed subdivision. Defensible space may be shared between lots within the subdivision. Defensible space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defensible space.</li> <li>• Vegetation management requirements in accordance with Table 6 to implement and maintain the defensible space required under this approved measure.</li> <li>• Water supply and vehicle access that complies with AM4.1.</li> </ul>



**Response:** All lots can provide separation from the hazard in accordance with Column A of Table 2 to Clause 53.02-5, as detailed earlier in this report. It should be noted that low threat vegetation has been used to apply defensible space to the entirety of Lots 2 and 3. It is demonstrated that a future dwelling site on either lot is able to be achieved and be exposed to a radiant heat flux of less than 12.5kW/m<sup>2</sup>. Defensible space is contained within the boundaries of the proposed subdivision and the adjacent roads. Whilst there is no formal sharing of defensible space between the lots, it is acknowledged that each lot benefits from the defensible space created on the neighbouring lot. The service station lot is expected to remain managed by virtue of its use.

The vegetation management requirements for the subdivision are detailed and apply to the property boundary.

Water supply and vehicle access

Lot 1 is established with a service station, but the other lots will require a non-combustible water tank containing a minimum of 10,000 litres of water to be provided at the time of building a dwelling. These requirements will be achieved through the required Section 173 agreement relating to bushfire protection measures. Both lot 2 and 3 directly access a public road. Fire brigade access will be required to the water supplies so access will be specified.

The subdivision meets the approved measures AM4.1 and the water supply and access objective (Clause 53.02-4.3) as required by Clause 53.02-4.4 AM5.2.

**AM5.4**

**A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.**

**Response:** This subdivision improves the current situation to the surrounding lots as it provides ongoing requirements for management of the vegetation. Under current conditions, the site has the potential to be overgrown with vegetation. Each residential lot will be able to be landscaped as the owner chooses, provided the vegetation management requirements for the areas of defensible space are undertaken.

5.2 Expected Planning Permit Conditions

The following are expected to be the planning permit conditions:

### **Bushfire Management Plan not altered**

The Bushfire Management Plan (Version 1, dated 23/09/2024) must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

### **Matters to be set out in Section 173 Agreement**

To give effect to the requirements of Clause 44.06-4 of the East Gippsland Planning Scheme, and the above condition, the section 173 Agreement prepared in accordance with Clause 44.06-4 must specify the following:

- The occupation of a dwelling or small second dwelling must not start on any lot until all of the bushfire mitigation measures specified on the Bushfire Management Plan endorsed under this permit have been implemented on the relevant lot to the satisfaction of the Responsible Authority.
- The bushfire mitigation measures which form part of the Section 173 Agreement and the planning permit and endorsed plans, including those relating to construction standards (BAL), defendable space, water supply and access must be maintained to the satisfaction of the Responsible Authority.

The Bushfire Management Plan endorsed under this permit must be included as an annexure to the agreement.

Lot 1 is to be excluded from this agreement.

### **Maintenance of defendable space**

Before the Statement of Compliance is issued under the Subdivision Act 1988 defendable space on every lot in the subdivision must be implemented and maintained as specified on the Bushfire Management Plan, unless otherwise agreed in writing by the CFA and the Responsible Authority.

## 5.3 Bushfire Management Plan

Refer to Appendix One for the proposed Bushfire Management Plan.

## 6.0 References

Standards Australia (2018) Construction of Buildings in Bushfire Prone Areas. Standards Australia, North Sydney, NSW.

The State of Victoria Department of Environment, Land, Water and Planning (2024) NatureKit.

The State of Victoria Department of Environment, Land, Water and Planning (2015) Fire Operations Plan 2015/16-2017/18 Gippsland Region.

The State of Victoria Department of Planning and Community Development (2012) Regional Bushfire Planning Assessment – Gippsland Region.

## 7.0 Appendices

Appendix One – Proposed Bushfire Management Plan

Appendix One – Proposed Bushfire Management Plan

**Bushfire Management Plan Page 1 of 2**  
**28 Princes Highway Cann River 3890**

Version 1.23/09/2024 Euca Planning Pty Ltd

**BUSHFIRE PROTECTION MEASURES – APPLIES TO LOT 2 AND 3 ONLY**

**Mandatory Condition**

The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

**Construction Standard**

Building design and all construction works for any new dwelling needs to comply with a minimum BAL of BAL29 from AS 3959.

**Defendable space**

Defendable space extending around any new dwelling for the entire lot will be managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 cm in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

**Firefighting water supply**

The following requirements apply at the time of building a new dwelling:

- An effective capacity of 10,000 litres
- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above-ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.
- Be readily identifiable from the building or appropriate identification signage to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4m of the accessway and be unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).

**Access**

Access is required at the time of building a new dwelling, and the following design and construction requirements apply:

- All-weather construction.
- A load limit of at least 15 tonnes.
- Provide a minimum trafficable width of 3.5 metres.
- Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.
- Curves must have a minimum inner radius of 10 metres.
- The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20% (11.3°) for no more than 50 metres.
- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.



### Bushfire Management Plan Page 2 of 2

### 28 Princes Highway Cann River 3890

Version 1, 23/09/2024 Euca Planning Pty Ltd



# Bushfire Management Plan Page 1 of 2

## 28 Princes Highway Cann River 3890

Version 1, 23/09/2024 Euca Planning Pty Ltd

### BUSHFIRE PROTECTION MEASURES – APPLIES TO LOT 2 AND 3 ONLY

#### Mandatory Condition

The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed

#### Construction Standard

Building design and all construction works for any new dwelling needs to comply with a minimum BAL of BAL29 from AS 3959.

#### Defendable space

Defendable space extending around any new dwelling for the entire lot will be managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 cm in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

#### Firefighting water supply

The following requirements apply at the time of building a new dwelling.

- An effective capacity of 10,000 litres
- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above-ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.
- Be readily identifiable from the building or appropriate identification signage to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4m of the accessway and be unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).

#### Access

Access is required at the time of building a new dwelling, and the following design and construction requirements apply:

- All-weather construction.
- A load limit of at least 15 tonnes.
- Provide a minimum trafficable width of 3.5 metres.
- Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.
- Curves must have a minimum inner radius of 10 metres.
- The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20% (11.3°) for no more than 50 metres.
- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.

ADVERTISED  
This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

# Bushfire Management Plan Page 2 of 2

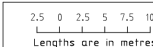
## 28 Princes Highway Cann River 3890

Version 1, 23/09/2024 Euca Planning Pty Ltd



Sheet 1 of 1

- Date of Survey: 17/07/2024  
 - See Certificate of Title for Easement details.  
 - All significant areas are shown on this plan.  
 - All Federal details will be surveyed over 90 days and will be the responsibility of the landowner.  
 - No underground utilities have been located.  
 - All data shown on this plan is an accurate representation of the subject site at the time of survey.  
 - Data on this plan may only be reproduced with permission from Euca Planning Pty Ltd.



**Notations**  
 Re-establishment datum vide OP124344  
 Levels are to the Australian Height Datum (AHD) vide NODRINBEE PH B - RL 102,943m  
 Contour interval 0.1m  
 Total site area: 4465m²

28 Princes Highway, Cann River, 3890	East Gasstand Shire
Plan No. 2425/8 PRS1-1	Scale 1:250 - A1 1:500 - A3
Drawn 19/07/2024	

<b>Proposed Subdivision Plan (3 Lot)</b>	
Parish of Noorinbee Township of Cann River Section 7	
Crown Allotment: 3	
Persecentroid (MGA2020) : E 690 270, N 5860 170	

**OnePlan**  
 P 1300 853 157  
 M 0400 543 157  
 sks@oneplangroup.com.au  
 www.oneplangroup.com.au  
 GIPPSLAND - HILBERTVILLE



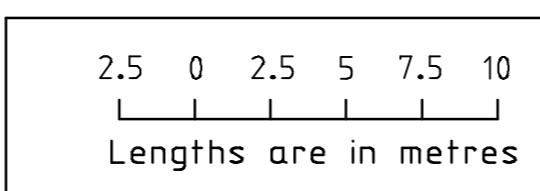


MGA2020 ZONE 55

**OnePlan**  
 LAND DEVELOPMENT GROUP  
 LICENSED LAND SURVEYORS

P:1300 853 157  
 M:0400 543 157  
 sks@oneplangroup.com.au  
 www.oneplangroup.com.au  
 GIPPSLAND - MELBOURNE

- Date of Survey: 11/07/2024  
 - See Certificate of Title for Easement details.  
 - Only significant trees are shown on this plan.  
 - Whilst every effort has been made to locate all features details within the surveyed area SK Spatial will not be held responsible for features hidden, obscured or under construction at the time of survey.  
 - No underground features have been located unless specifically shown.  
 - All data shown on this plan is an accurate representation of the subject site at the time of survey.  
 - Data on this plan may only be manipulated with permission from SK Spatial Pty Ltd.



**Notations**  
 Re-establishment datum vide OP124344  
 Levels are to the Australian Height Datum (AHD) vide NOORINBEE PM 8 - RL 102.943m  
 Contour interval: 0.1m  
 Total site area: 4445m<sup>2</sup>

**DEVELOPMENT SOLUTIONS**  
 VICTORIA

28 Princes Highway, Cann River, 3890  
 East Gippsland Shire

Plan No.	Scale	Drawn
242518 SCP3L-1	1:250 - A1 1:500 - A3	19/07/2024

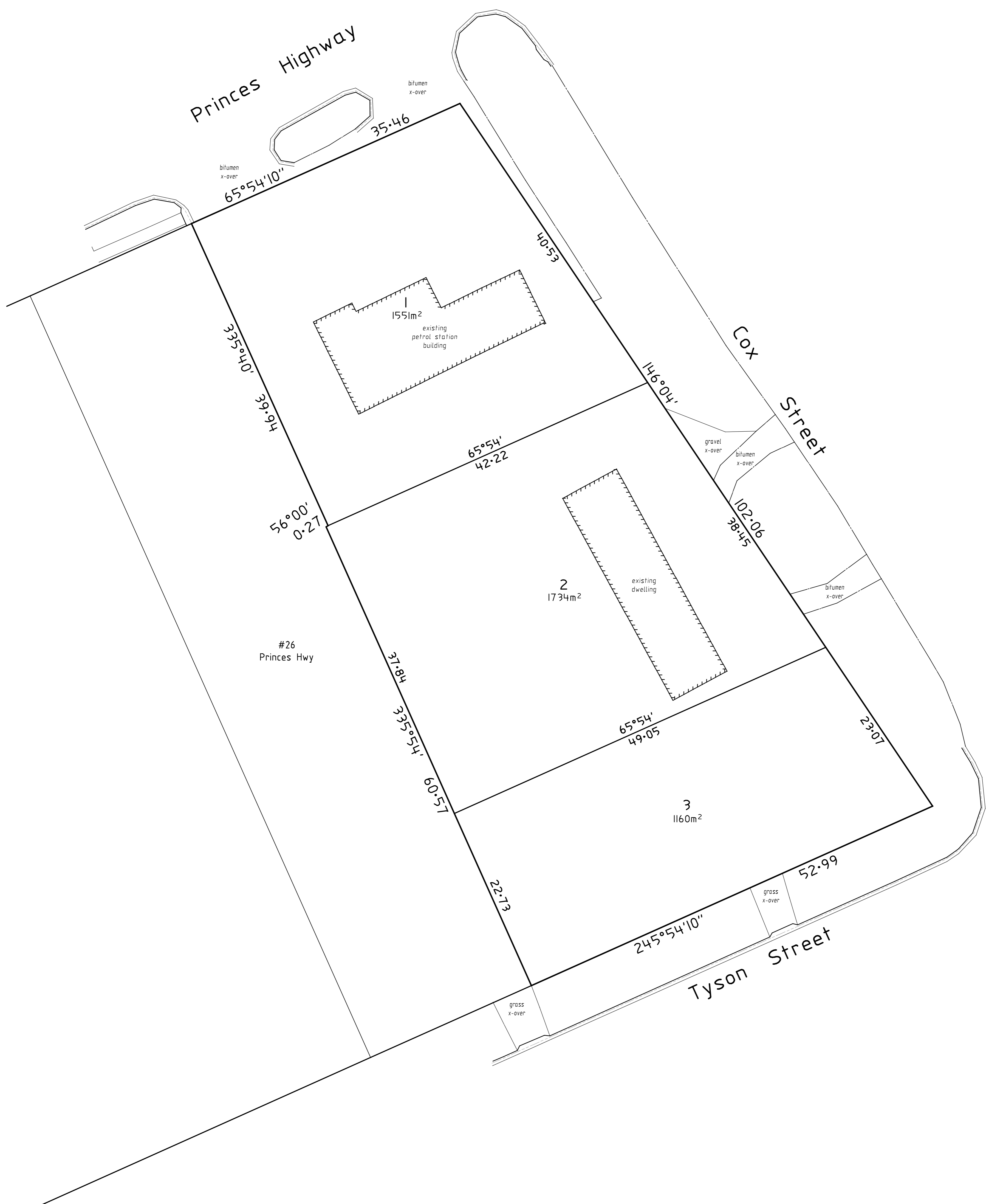
**Site Context & Proposed Subdivision Plan (3 Lot)**

Parish of Noorinbee  
 Township of Cann River  
 Section: 7

**Printed 18/10/2024**  
**Page 72 of 73**

Crown Allotment: 3  
 Paracentroid (MGA2020) : E 690 270, N 5840 170



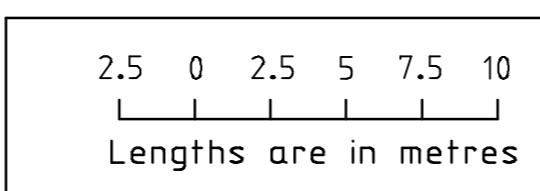


MGA2020 ZONE 55  
 N

**OnePlan**  
 LAND DEVELOPMENT GROUP  
 LICENSED LAND SURVEYORS

P:1300 853 157  
 M:0400 543 157  
 sks@oneplangroup.com.au  
 www.oneplangroup.com.au  
 GIPPSLAND - MELBOURNE

- Date of Survey: 11/07/2024  
 - See Certificate of Title for Easement details.  
 - Only significant trees are shown on this plan.  
 - Whilst every effort has been made to locate all features details within the surveyed area SK Spatial will not be held responsible for features hidden, obscured or under construction at the time of survey.  
 - No underground features have been located unless specifically shown.  
 - All data shown on this plan is an accurate representation of the subject site at the time of survey.  
 - Data on this plan may only be manipulated with permission from SK Spatial Pty Ltd.



**Notations**  
 Re-establishment datum vide OP124344  
 Levels are to the Australian Height Datum (AHD) vide NOORINBEE PM 8 - RL 102.943m  
 Contour interval: 0.1m  
 Total site area: 4445m<sup>2</sup>

**DEVELOPMENT SOLUTIONS**  
 VICTORIA

28 Princes Highway, Cann River, 3890  
 East Gippsland Shire

Plan No.	Scale	Drawn
242518 PR3L-1	1:250 - A1 1:500 - A3	19/07/2024

**Proposed Subdivision Plan (3 Lot)**

Parish of Noorinbee  
 Township of Cann River  
 Section: 7

**Printed 18/10/2024**  
**Page 73 of 73**

Crown Allotment: 3  
 Paracentroid (MGA2020) : E 690 270, N 5840 170